CA2ALZ 1
54M22C
Vol 17

ALBERTA LEGISLATURE LIBRARY
3 3398 00207 3152

ALBERTA PROVINCIAL LIBRARY

LIBRARY VAULT

ROYAL COMMISSION ON METROPOLITAN DEVELOPMENT OF CALGARY AND EDMONTON

COMMISSION MEMBERS

Dr. G. Fred McNally, Chairman,
Mr. G. M. Blackstock, Q.C.,
Mr. I. C. Robison,
Mr. C. P. Hayes,
Mr. P. G. Davies, Q.C.

Dr. H. B. Mayo (Consultant)

Mr. Wm. McGruther, Secretary

P R O C E E D I N G S

held before Royal Commission at the Court House, in the City of Calgary, in the Province of Alberta.

SESSION - 28th JANUARY, 1955

VOLUME - 17

ALBERTA PROVINCIAL LIBRARY

I N D E X

VOLUME 17
28 JANUARY, 1955

		Page
Submission:	Statistical Statement from Hamlet of Montgomery.....	2177
	Further Supplement to Brief presented by Forest Lawn.....	2192
	Calgary District Planning Commission Supplementary Brief.....	2268

W I T N E S S E S

MacDonald, J.A.

Examination by Chairman.....	2176
Examination by Mr. Sequin.....	2184

Maveety, J.A.

Examination by Mr. Mackintosh.....	2206
Examination by Mr. Bredin.....	2207
Examination by Mr. Brownlee.....	2210
Examination by Commissioner Robison.....	2211
Examination by Commissioner Davies.....	2219
Examination by Commissioner Hayes.....	2222
Re-Examination by Commissioner Robison.....	2226
Re-Examination by Commissioner Hayes.....	2232
Re-Examination by Mr. Bredin.....	2233
Examination by Mr. Sequin.....	2234

Whitlock, A.

Examination by Commissioner Blackstock.....	2240
Examination by Commissioner Davies.....	2261

Martin, A.G.

Examination by Mr. Joyce.....	2294

E X H I B I T S

Exhibit 67C

Statistical Statement from Hamlet of Montgomery.	2180

Exhibit 68C

Further Supplement to Brief of Town of Forest Lawn.....	2201

I N D E X (cont'd)

E X H I B I T S (Cont'd)

Exhibit 69C — Page

Document produced by Mr. De Neve..... 2238

Exhibit 70C

Copy of rates charged by Forest Lawn Light and Power Service..... 2257

Exhibit 71C

'53 Report of Consumers - Forest Lawn Light and Power..... 2258

Exhibit 72C

Calgary District Planning Commission Supplementary Brief..... 2267

VOLUME 17.

MORNING SESSION

28 JANUARY, 1955

THE CHAIRMAN: Mr. MacDonald, is it important to you that you should go first?

MR. MacDONALD: No, no.

THE CHAIRMAN: We had arranged with Mayor Maveety --

THE SECRETARY: He is not here yet.

THE CHAIRMAN: He is not here yet, but, Mr. MacDonald, he won't be very long.

MR. MacDONALD: No, no, that is all right.

THE CHAIRMAN: Mr. McGruther, I wonder if you would look around the hall and see if he is here. If he isn't there, Mr. McGruther, we will begin with Mr. MacDonald.

THE SECRETARY: No, he isn't here.

THE CHAIRMAN: All right, Mr. MacDonald, then I reject my former remarks, and we will be very happy if you would carry on.

JOHN A. MacDONALD, recalled, formerly sworn, testified as follows:

EXAMINATION BY THE CHAIRMAN:.

Q Have you a written statement now or are you just --

A No, I just got the stuff this morning and I haven't had time to --

Q I understand.

A -- I will have it typed and submit copies, if that will suit the Commission.

Q Well, you are just going to make a verbal statement, which we will have, which Mr. Malcolm will include on the record.

A Yes. First I have a statement here of the Hamlet of Montgomery, their mill rate over the last five years. 1950 for Municipal purposes 12 mills, for school purposes 37 mills; in '51 for Municipal purposes 8 mills, for school purposes 18 mills, and for hospital purposes for a half year only, 1.5 mills; 1952 for Municipal purposes 8 mills, for school purposes 30 mills, and for hospital purposes 2.86 mills; for 1953 for Municipal purposes 8 mills, school purposes 34 mills, hospital purposes 2.76 mills; in 1954 for Municipal purposes 13 mills, for school purposes 30 mills, for hospital purposes 2.71 mills.

Assessments for various purposes, Municipal, School and Hospital, in 1950 $278,190.00; 1951 $472,970.00; 1952 $698,405; 1953 $906,900.00; in 1954 $1,372,960.00.

Levies for various purposes, Municipal, in 1950 - $3,338.28; 1951 $3,783.76; 1952 $5,587.24; in 1953 $7,735.20; in 1954 $17,848.48; for

school, in 1950 $10,293.03; in 1951 $8,513.46; in 1952 $20,952.15; 1953 $32,874.60; in 1954 $41,188.80.

Now, for Hospital, 1950 there was nil; 1951, for a half year, $709.45; in 1952 $1,997.44; in 1953 $2,668.64; in 1954 $3,727.72, making totals for the years 1950 $13,631.31; 1951 $13,006.67; 1952 $28,536.83; 1953 $43,278.44; in 1954 $62,758.00.

Assessments as to November 30th, 1954, land $414,135; 1,364,600; Personal Property, 27,255; Business 10,880, a total of 1,816,870.

Now, cost of garbage removal, 1950 $600.00; 1951 $700.00; 1952 $2020.81; 1953 $2563.87; in 1954 $3000.00.

Cost of street lighting per month in 1950 $39.00; 1951 $39.00; 1952 $39.00; '53 $39.00 and '54 $114.00.

I believe the Commission wish some more information as to car total. Taken from the questionnaires, it was found that 71% owned their own cars, values were not given, that is --

COMMISSIONER DAVIES: Mr. MacDonald, could I interrupt you for a moment?

A Yes, sir.

COMMISSIONER DAVIES: In respect to those figures you have given us --

A Yes?

COMMISSIONER DAVIES: Are those figures for the total L.I.D.?

A I believe so, sir.

COMMISSIONER DAVIES: So that would include several sections which are unsettled as to urban development, wouldn't it?

A That I am afraid I couldn't answer. I understood this was just the Hamlet of Montgomery.

COMMISSIONER ROBISON: What is the source of the figures, Mr. MacDonald?

A I beg your pardon?

COMMISSIONER ROBISON: I didn't catch it, what is the source of the figures?

A Well, as far as I know they are the figures obtained from the Government, that is they, being a Local Improvement District, it is their responsibility for, the responsibility was theirs.

Q THE CHAIRMAN: But it is your belief that the figures that you have quoted are not for L.I.D. 46 on the whole?

A I believe they are merely from the Hamlet of Montgomery.

Q From the Hamlet, yes.

A Yes.

Q I would think that if they came from the Department and it was represented to them that this was the purpose of this thing --

A Yes.

Q -- that they would make the segregation?

A Yes.

COMMISSIONER DAVIES: Mr. Chairman, I would like to suggest that we should mark this typewritten statement as an Exhibit now, and then let Mr. MacDonald withdraw it for the purpose of getting the additional copies which perhaps he can have handed to us later this afternoon.

THE CHAIRMAN: Mr. McGruther, will you give us a number?

THE SECRETARY: 67C.

THE CHAIRMAN: 67C. Thank you.

STATISTICAL STATEMENT FROM HAMLET OF MONTGOMERY THEN MARKED AS EXHIBIT 67C.

COMMISSIONER ROBISON: Just to clarify one point on assessment, Mr. MacDonald, is my understanding correct that there is an isolation factor of a minimum of 10% in Montgomery? Do you umderstand what I mean?

A No, I don't quite, sir.

Q Well, in assessing there are various factors used like buildings are isolated.

A Oh, I see what you mean.

Q Use factors. Now, there is an isolation situation in Montvomery with regard to the Metropolitan Area.

A Yes.

Q And my understanding is there is an isolation factor from

what Mr. Luke said of 10% but I wasn't clear as to whether it covered the whole built-up area of Montgomery.

A I am afraid I couldn't answer that, sir.

Q All right.

Q THE CHAIRMAN: Well, Mr. MacDonald, are you proceeding now with a further statement with regard to, you remember there was some question about reconciliation of figures in the Brief which you have presented and the --

A School Board.

Q -- School Board?

A Yes. Well, I understand there is quite some difference in the cost of education of the pupils from the figures I had which at the time I told you I couldn't vouch for.

Q No?

A And those that the School Board apparently have put forward. The School Board phoned me up with regard to this, or a member of it, and told me that in the original figures handed out they were charging more than they were actually paying out, instead of just charging what they were paying on their debentures, they were charging just a straight percentage which reduces the thing considerably, and the latest figures they gave me were 1950, 202 students costing $17,495.00 or $86.60 per pupil; in '51 340 pupils costing $39,698.00 or a cost of $116.98 per pupil; in 1952 524 pupils at $54,000.00, costing $103.00 per pupil; 1953 726 pupils costing $62,000.00 or $85.40 per pupil; in 1954

818 pupils costing $89,000.00 at a cost of $108.08 per pupil.

COMMISSIONER ROBISON: Mr. MacDonald, are you representing the School Board?

A No, I am not, sir, just the Hamlet of Montgomery.

COMMISSIONER ROBISON: How is it, you got those figures because we requested them?

A Yes.

THE CHAIRMAN: Yes.

COMMISSIONER ROBISON: It seems unfortunate that they have no representative here at all.

A They are quite different from the figures I originally gave you, I might add that.

DR. MAYO: Sir, may I make one comment there.

THE CHAIRMAN: Yes.

DR. MAYO: Excuse me for a minute, please.

A Yes, surely.

DR. MAYO: These Hamlet of Montgomery figures which were just given are the --

THE CHAIRMAN: Yes.

DR. MAYO: -- are identical with those in our material from the Department of Municipal Affairs. The only problem is that the Hamlet of Montgomery has not got identical boundaries with those of the Shouldice School District.

THE CHAIRMAN: No, that is true.

DR. MAYO: Several sections of them, and so far as I can see that all these figures apply to the slightly larger area of the Shouldice School District rather than the Hamlet of Montgomery.

THE CHAIRMAN: Yes, that's true.

A I believe I was asked also to find out what I could with regard to occupation. While they were taking these, this survey, they joined it into eight Districts, or subdivided it into eight Districts, and out of, one District out of 71 questionnaires there are 59 different occupations. They are mostly technical men. I don't know whether you wish me to read out all the occupations here.

Q THE CHAIRMAN: How many are there?

A 51.

Q Oh, yes. Well, I think, have you the numbers under each?

A I beg your pardon, I have the numbers under each, yes.

Q Well, just let's have the, those with considerable number.

A Yes. Janitors 6; Motor Mechanics 4; Sales Clerk 2; Sales Manager 1; Truck Driver 6; Bar Tender 1: Gas Service Station Worker 1; Seismologist 1; Warehouse Foreman 1; Warehouseman 1; Accountants 2 ; City Waterworks Worker 1; Brand Clerk 1; Expressman 1; Advertising 1; Carpenters 8; Firemen 1; Type Mechanic 1; Labourers 4; Dishwashers 2; Packer 1; Tinsmith 1; Factory Worker 1; Civil Engineer 1; R.C.A.F. personnel 2; Transit Worker 1; Equipment Operators 2; Farm Agent 1; Civil Servant 1; Edgerman 1; Postal Clerk 1;

Dairy Worker 1; Painter 1; Lemon Handler 1; Optician 1; Gas Company Worker 1; Plasterer 1; Army Personnel 1; Welder 1; Letter Carrier 1; Barber 1; Shipper 1; Sawmill Worker 1.

Q Thank you very much.

A I think that is just a cross-section.

Q Yes. That's a very interesting cross-section.

A I think that is all the figures I have to submit.

Q Yes. If you will just be seated we will see if there are any questions, Mr. MacDonald. Mr. Sequin, did you wish to ask this witness any questions?

MR. SEQUIN: Well, yes, there are a few points I would like cleared off but I am afraid I am not quite qualified to --

THE CHAIRMAN: We will find out for you, Mr. Malcolm. Mr. Malcolm would like you to identify yourself.

MR. SEQUIN: W. Sequin, Past Chairman of the Welfare Committee in Montgomery, 1954.

EXAMINATION BY MR. SEQUIN:

Q I see you have retracted the statement of the expenditures of the schools?

A To make it clear, at the time I gave those original figures I informed the Royal Commission that I could not vouch for them in any way.

Q Oh, I see. I see that your latest figures check exactly

with the figures that I got last night from the School Board.

A Yes.

Q And in your last Brief I see where you went so far as to recommend an investigation of our School Board. Would you still insist on that?

A At the time that took place I understand that they were having trouble locating some money. Now, I have no personal knowledge of it.

Q I see. Were you instrumental in preparing this Brief, or did you, are you just representing the eight members that we elected to prepare the Brief?

A Yes, I am representing them.

Q You are not instrumental in any of the figures, you are not instrumental in preparing any of the figures?

A Oh, no, no. Couldn't be.

Q Oh, I see. So that, I mean we cannot lay the blame on you for the figures. There are quite a few things that you didn't clear, in your last report there is the, I mean our School Board has been criticized for lack of efficiency and I find that this report here pretty well puts them in the clear. Now, this report is given to me last night by Mr. McGowan which is the School Trustee, but I see that he omitted signing this so I don't know whether, he was to be here at twenty minutes to twelve, his lunch time, he is the, he is the President of the Credit Department in Anderson Plumbing, and he has been very busy all week and I couldn't

get ahold of him this morning until his lunch hour, you see, so that if you will accept these figures without his signature, I can pretty well vouch for his integrity.

THE CHAIRMAN: Is this, I thought you said the figures that you had were practically identical with the ones --

MR. SEQUIN: Oh, yes, the figures as far as the expenditures, as far as the 202 pupils 17,000 --

THE CHAIRMAN: Yes. Well, --

MR. SEQUIN: -- for '51.

THE CHAIRMAN: Yes. What other figures are you referring to, Mr. Sequin?

MR. SEQUIN: I have been referring to, there has been statements made that they did not have sufficient foresight.

THE CHAIRMAN: Oh, well, Mr. Sequin, that doesn't concern the Commission. We have no knowledge, no such statements have been made here.

COMMISSIONER ROBISON: No, no evidence of it.

THE CHAIRMAN: No, so --

MR. SEQUIN: Well, we don't --

THE CHAIRMAN: -- I don't think the Commission would certainly feel it was its province to inquire into the efficiency or otherwise of a Municipal body or a School body.

MR. SEQUIN: No. Well, I thank you for that. I think that will be all as long as the, as these other

figures have been corrected.

THE CHAIRMAN: Yes, and Mr. MacDonald has already entered it as an Exhibit with these figures.

Q MR. SEQUIN: Yes, and you are prepared to withdraw that recommendation of an investigation?

A Well, I don't think I ever recommended one.

Q Well, --

THE CHAIRMAN: Mr. Sequin, let's get that now. That is something, Mr. MacDonald, I haven't at the moment in front of me, but can you refer me to the page and --

MR. SEQUIN: No, I read this --

THE CHAIRMAN: Where, can you find it, put your finger on the particular sentence or paragraph?

MR. SEQUIN: No, I don't believe I could but it is in here.

THE CHAIRMAN: Well, we will let Mr. MacDonald have a chance. However, that didn't stay in my mind.

MR. SEQUIN: I am sorry that I am not, any more prepared for this.

THE CHAIRMAN: Oh, you have it?

THE SECRETARY: Page 16.

THE CHAIRMAN: Yes. Mr. MacDonald, will you refer to page 16, the second paragraph.

THE SECRETARY: I think that is the paragraph.

THE CHAIRMAN: I think that is it. Have you got it there, Mr. Sequin?

ALBERTA LIBRARY

MR. SEQUIN: Yes, but I couldn't figure, you see I couldn't get ahold of one of them Briefs --

THE CHAIRMAN: Have you got one now?

MR. SEQUIN: Well, this one that, yes, on page 16.

THE CHAIRMAN: Yes.

MR. SEQUIN: Yes, I think if that --

THE CHAIRMAN: I don't think that there is any reference to an investigation.

MR. SEQUIN: "We feel that an investigation should be --

THE CHAIRMAN: You mean that is here somewhere?

MR. SEQUIN: Yes, "We feel that an investigation should be conducted."

COMMISSIONER ROBISON: Who are "we", Mr. Sequin?

MR. SEQUIN: The, this Committee appointed to prepare this Brief.

THE CHAIRMAN: Which Committee was appointed by a meeting of ratepayers.

MR. SEQUIN: It was appointed at a meeting that I called as Chairman at that time, you see.

THE CHAIRMAN: Yes.

MR. SEQUIN: A Committee of eight. I am sorry that I didn't have that, I didn't have the Brief --

THE CHAIRMAN: No.

MR. SEQUIN: -- to check it, but it is all

there somewhere.

THE CHAIRMAN: Oh, yes, at the bottom of 17, "Further investigations are being conducted with regard to this matter and it is believed that a complete investigation should be made into the management and financial status of the Montgomery School Board. On further investigation and if pertinent information obtained will be forwarded to the Commission, and it is asked that it be incorporated in this Brief." Well now, Mr. MacDonald, I suppose you didn't prepare the Brief and are merely representing --

A Yes.

Q -- this Committee, and you have neither the authority to support this nor to --

A I couldn't say one way or the other, sir.

THE CHAIRMAN: No. This leaves us in a position, Mr. Sequin, I don't know exactly what action we can take. This was submitted by a Committee which you explained to us is appointed in a formal and regular manner --

MR. SEQUIN: It was appointed at a meeting of approximately 300 people.

THE CHAIRMAN: Well, yes. I can assure you that the Commission does not intend to initiate any investigation or carry on any action which will reflect on the School Board so from that part on I think it is a domestic matter which you will have to settle amongst yourselves.

MR. SEQUIN: I think that will be all right. Thank you very much.

THE CHAIRMAN: Yes, Mr. Sequin. Commissioner Blackstock points out, and I think he is quite right, that this is not a suggestion that any outside authority, Commission, Mr. MacDonald's Committee or anybody else, that they, that you amongst yourselves should carry on this investigation if it is thought by the local people to be necessary and that of course, as I say, is a domestic matter which you will settle amongst yourselves.

MR. SEQUIN: Oh, that is what you are gathering from --

THE CHAIRMAN: The interpretation of this phrase.

MR. SEQUIN: I see.

COMMISSIONER BLACKSTOCK: And that the results of the investigation, if one should be made, would then be communicated to the Commission.

THE CHAIRMAN: Yes, and attached to this Submission.

MR. SEQUIN: Oh, yes, yes. Well, that clears our School Board. That is what I was after. I thank you very gratefully.

THE CHAIRMAN: Yes. All right, sir. Let me see, this is yours, Mr. McGruther. Thank you very much. Then, Mr. MacDonald, so far as I can see, unless there are questions on the part of any member of the Commission then I

think we thank you. Yes. We may count on receiving copies of the Exhibit this afternoon? We will not be back again until Monday?

A I wish, I would prefer it if I could keep it until Monday, sir.

THE CHAIRMAN: Well, we don't need them before that, if you do not forget --

A I will not forget them on Monday.

COMMISSIONER ROBISON: Are they exactly the same figures as are contained in that Brief from the Department? I believe they are practically the same, are they not, Dr. Mayo?

A I would imagine so.

DR. MAYO: They are the same, sir, except that there are two small columns different, the cost of garbage disposal and one or two other things, but 80% of them are, I think, the same as those we already have.

COMMISSIONER ROBISON: Yes.

THE CHAIRMAN: I see. Since the statement that Mr. MacDonald presented has been accepted as the Exhibit, I think you better let us have the copies.

A Yes, I certainly will, sir.

THE CHAIRMAN: And we have it numbered, have we not? Yes, 67C and if you put them in Mr. McGruther's hands --

A I will.

THE CHAIRMAN: -- it will not be necessary for you to make a formal appearance.

A I will, sir.

THE CHAIRMAN: Then I will excuse you from further attendance.

I think now, Mayor Maveety, we should probably hear from you in your Supplementary Statement.

JOHN ALTON MAVEETY, recalled, (formerly sworn) testified as follows:

" TOWN OF FOREST LAWN.

Further supplement to a Brief presented to the Royal Commission on the Metropolitan Areas of Calgary and Edmonton

.....

RECOMMENDATIONS TO THE ROYAL COMMISSION AS SUGGESTED BY THE COUNCIL OF THE TOWN OF FOREST LAWN.

1. Water: This project to be carried out as presently planned and expanded to conform with the Plans of the Town when economically and physically possible; Wholesale, Retail and distribution planning, financing, construction and operations to be carried out to the profit of the area originally involved.

Sewers: Collection and disposal for sanitary reasons also storm sewers to be continued as now planned. This project to be carried out in conjunction with the City of Calgary where ever possible and

special consideration should be given the town where funds are spent on a co-operative project.

2. Garbage Collection: Operation and financing to continue and a reasonable rate struck for Metropolitan use of incinerator.

3. Garbage Disposal: More freedom allowance in the use of dumping grounds to prevent the local dumping of city trucks who are now using the Forest Lawn nuisance ground. Economical planning for the filling in of the low ground to be carried out.

4. Electric Light: Domestic and Commercial rates to be revised and an economical expansion plan program to be carried out.

5. Natural Gas: The rates for residential and Commercial users to be revised and further orderly development project by co-operation.

6. Telephone: More service and better rates necessary. Concerted effort for a better rate of all Calgary Metropolitan area.

7. Transit System: Expansion of Transit System and a uniformity of rates.
   Distance from City Centre a guiding point.
   Our present schedule to be maintained or bettered according to requirements.

8. Police: Decentralization of Police Force, the same to be brought up to strength recognized by Police Code

standards. Localism to be guarded against. Past co-operation with the City Department has been mostly slow.

9. Fire Protection: Volunteers to be used until better service is provided.

   Direct support such as Calgary has with her present stations as a matter of routine.

10. Hospital: Extras charged to patients are becoming exceedingly high. More attention to be paid to this.

11. Health: Health unit or a Department of Health to be set up.

12. Library: A local library with a central unit to supplement local units.

13. Building Inspection: Review of the present code and continuation of same with consideration that future buildings be located and planned in respect of sewer and water.

14. Weed Inspection: More enforcement of the Weed Act and allowance in the budget for spraying of the public property.

15. Health Officer: A Medical Health Officer and changes in the Town and Village Act so that Trailers and garages cannot become permanent residences. These menaces are caused by:

    1. Infringement of the Act.
    2. Inadequate septic tanks.

M-3-20

ALBERTA PROVINCIAL LIBRARY

16. Park Areas: The present area is to be maintained and expanded with possibility of amalgamating Park areas.

17. Town Office: Town buildings to be kept as they are. Also, Public reserves.

    Town Office may quite well be used for decentralizing purposes of local uniform activity such as - Police, Health, Civil Defence, Fire and local road repairmen.

18. Zoning: The Zone areas to be respected as presently planned and any changes to be made gradually without violent disruption.

19. Major thoroughfares: The main road through the town to be used to best advantage with respect to presently established business and residential areas.

20 Assessment: The assessment should have a graduated scale for land and improvements from City centre outwards.

21. Boundaries: Boundaries should be well considered in respect to Finances and practical extension of utilities and other recognized standards.

22. Interdependence: The satellite towns of the Metropolitan area have reached a turning point and are doing much to alleviate their own ills. Optimism, however, will not overcome our needs and consideration for extension of the following items should be given:

    Banking, shipping, wholesale distribution, tax basis, loans and spread of work and of industry in the Metropolitan areas.

23. Inequitable distribution of services: These services are all at our back door and we must pay dearly for what pittance we do manage to get by self help.

24. Inequitable distribution of taxes: Much of our dollar goes back to the City for wholesale and retail goods. Very little service is given us except for a few items of food delivered free.

25. Artificial division of political jurisdiction: Mutiplicity of political units makes problems more complex and tends to weaken their efforts with greater costs for all concerned.

26. Interdependent in Metropolitan scheme could be carried out so that each unit would become more self reliant:
    1. Each part becomes more self efficient.
    2. Road machinery in use to full advantage, in more than one unit.

27. Education: Education would become more equalized in the matter of salaries, buildings, teachers, facilities. Discrimination would be eliminated between workers by equalization of Education costs as far as possible.

28. Arrears of Taxes: The town should receive credit for arrears of tax that would be turned over to any other Government Body.

29. Debt Adjustment: Debts should be charged to the larger area and where Commercial and Business areas adjoin, assessment values should be revamped to allow for distribution

purposes.

30. Civil Defence: The local defence organization authorize to retain the same status with representation on a Metropolitan scale with no disrespect for the Provincial Government.

31. Local Fire engine in case of amalgamation: Our local fire engine to revert to Civil Defence unless the City can use it. Must not be disposed of as a whole or in part for 5 years.

32. Statellites like large industry, for reasons of their own, have developed at a convenience to themselves; neither are always right.

33. Industrial tax basis: Fringe areas should be given a fair average of business and industrial tax basis on a higher than per capita basis because of the greater costs involved in extending services.
The actual tax basis should be distributed in the same proportion to incorporated fringe areas taking into consideration the per capita expenditure of each area.

34. Postal Service: Three Post Offices and no local mail delivery leaves much to be desired.

35. Recreation: There are no local amusement centres or theatres for any recreational activity. Means should be taken to induce branches to expand to outer areas.

36. Population: Our populations expectations are based largely

on what the neighbor has and the Governments ability to finance.

37. Graduated Taxation: As an alternative in case industrial and business tax may not be equitable distributed: There should be graduated taxation according to business from City centre.

38. Jurisdiction: If any locality refuses to carry out a project a higher jurisdiction should hold a finding and, if necessary, an order issued for the project to be proceeded with.

39. Progress: Progress of residential and business expansion during any transition is not to be imposed, but terms to be found whereby applicant may be reasonably dealt with.

40. If there should be annexation we should have representation on the Government Body and our progress of development should continue uninterrupted.

NOTE: Taking the City of Red Deer as a basis in 1951 Forest Lawn spent 55% as much as Red Deer per capita. Beverly came close with 52%, Jasper 31% and Bowness 30%. We are progressing, but our competitor, Calgary, has more business experience and greater reserves. "

MR. MAVEETY: I am sorry I was late, gentlemen. Will I just run through it?

THE CHAIRMAN: Well, I think we have said to other witnesses that they might handle it in any way they

chose. However, of course we have had the copies for some time, we have read them, it might be that all you would need to do would be to tell us what has happened in the meantime. You may remember that I made a request to you that you make an effort to get an expression of opinion of your ratepayers, and you received the suggestion very kindly and said you would do it, something about it. Now, I thought there might be attached on the third page to this statement some statement as to what had happened, if anything. You wouldn't want me to run away with the conclusion that nothing had been done, would you?

A I don't believe I brought any notes on it, but from memory I think I can give it to you close enough, sir. We did call a meeting and it was attended by approximately 150 people --

Q Excuse me at that point, in my browsing through Calgary newspapers, I can't tell you which one or what date, somebody said that the notifications, public notifications were inadequate. Will you tell the Commission how you notified your ratepayers?

A We notified them through the, by the local newspaper.

Q Yes. Very well. Well then, I should think that that would probably be satisfactory.

A We might have notified them also through the City papers, but we didn't go to that extent.

Q No.

A And we gave them plenty of notice.

Q Yes. All right. Now then, 150 were present?

A That is right, sir, to start with, but by the time the meetin finished and we took a, called a vote, there was possibly, I would say, 75 left in the hall. Well, when the vote was called the majority was for amalgamation with a condition. Now, the condition, I will give it to you as close as I can, was that the work be carried on in case of amalgamation as fast and as economically as we planned on carrying it on ourselves.

Q Yes. Were there abstentions in the vote?

A I don't believe so, sir.

Q No, and am I to understand that the meeting was taken up, the early part of the meeting when the other 75 were present, was largely with a discussion of the problems that might grow out of amalgamation?

A These 41 points were read to them, and there was a discussion on them.

Q I see?

A And the final part of the meeting was taken up by a projection as given by Mr. De Neve, and the figures was rather boring and the party became strictly deleted.

Q Yes. I can understand that. Well now, Mayor Maveety, I am taking, I have read this statement and on taking a further look at it now it seems to me that so much of this is detail that I would prefer you to pick out some, of the

41 pick out the ones which are of major importance, which you emphasized before. Now, for instance I don't think this Commission has anything to do with the Postal Service, I don't think we could make any recommendation with regard to that, but on matters of education or transportation problems, oh, all the things which would normally be a provision of our operation or function here?

A I believe I can do that for you too, sir.

Q Pardon?

A I believe I can do that for you too, sir.

Q Yes. Very well.

A One of our major concerns at the moment is garbage and garbage disposal.

Q Mr. Maveety, I am sorry, let me interrupt you long enough to number this. This will be 68C, Mr. McGruther?

THE SECRETARY: Right.

THE CHAIRMAN: Yes.

FURTHER SUPPLEMENT TO THE BRIEF OF TOWN OF FOREST LAWN THEN MARKED AS EXHIBIT 68C.

THE CHAIRMAN: Excuse me, sir.

A Thank you. Now, in our garbage disposal I am not intimating here the city-owned trucks are using our dumps, or our dump rather, but rather that companies and individuals --

Q Be seated please.

A Thank you -- are using it, or attempting to use it quite

extensively due to the fact the city dump closes up on holidays and they just have, I imagine, an eight hour day and after that they attempt to dump in our disposal field.

Q Yes?

A And we just have an open block for garbage and it is working a hardship on us. Now, we feel that much of the, you can go out around the roads here in the country and see garbage or junk that has been disposed of all over the countryside, due to the fact that, I had one gent here not long ago, he had been to the city garbage disposal, and he went to ours and got shooed away from there, and he attempted to get into the Montgomery dump and the Bowness dump, and finally had to wind up at one of Conrich's somewhere, so it doesn't work for very good feeling.

Well then, the police, as we state here in number 8, there could be, what we are asking for mainly as I see it, and I have had considerable to do with the police work in Forest Lawn, I believe there could be a form of supervision at least to help our police force along. Would work out to a better degree.

Now, the library, I will just touch lightly on that. We did enjoy the facilities of the city's libraries for a good many years, suddenly it was chopped off and we had to start our own. Well, it is coming along fairly well, but it is not a very extensive library yet.

The building inspection with

co-operation and working in conjunction with Calgary District Planning Commission and the C.P.A.C., we have come a long ways in the past few years.

Now, education, number 27, is a major item and what the answer is going to be there, we are thoroughly behind 100% participation by the Government, of course, if we can get it.

Then, I don't know just which point it is there, I brought out the fact that we think, and the Council agreed on this, it was brought out, all these points was brought out before them, and were given approval, that participation in, under metropolitanism could be granted all the outlying organized Towns in the Metropolitan Area should enjoy some of the taxation of the larger industries and business, that it should be split up and spread out in some way, shape or form by agreement; and in case of, and in that jurisdiction, number 38, that only means that there should be a graduated tax from a higher taxation locality. I thought maybe that point might be not quite clear to you, and of course that, if there is any change in status that in the transition we would certainly like to see no impediment put in the line of progress.

Q Mr. Maveety, I don't want to seem to put you on the spot, but suppose that you were faced with a plebiscite when you go home at noon today, and on which you would vote yes or

no on an amalgamation question. Now, if you would prefer not to answer this, don't answer it, but would you yourself personally think that you would be voting in the best interests of the Town of Forest Lawn if you voted no?

A Most of my work in the past two years, and I have been instrumental with C.P.A.C. and C.D.P.C. in attempting metropolitanism, sir.

Q That's your record that you appealling to now?

A That's right.

Q Yes?

A And I haven't gone too strongly into amalgamation. I know something of the theories of metropolitanism and what it might entail. I think as far as my knowledge goes, I would go along with metropolitanism rather than amalgamation at this time.

Q I think you were here yesterday when Mr. Brown was talking, defining a new, at least to me a new theory of metropolitanism in which he proposed a metropolitan organization of the, what we have been calling the fringe areas, with the City of Calgary excluded. You heard that. Had you heard it before?

A I have heard something along that line, yes, sir.

Q Is that what you mean by metropolitanism?

A That is one theory, yes.

Q And you would go along with that in preference to amalgamation?

ALBERTA

A Couldn't see it?

Q Well, at the moment I can't see how joining three unhappy and impecunious neighbours together, tying them together, is going to help them very much?

A I didn't say that leaving Calgary out was the ultimate, sir.

Q No, but I was asking you specifically at the moment, you see this was, came to me at any rate as such a new and unusual interpretation of metropolitanism that, well, I have been thinking about it off and on ever since, and I wondered in what sense you were using metropolitanism?

A Well, you asked me if I had heard it, of that system, yes, but I didn't say that I was going for it --

Q No.

A -- to leave the City out.

Q But of course that was the gist of Mr. Brown's --

A Yes.

Q -- recommendation yesterday. All right. Thank you very much. I am sorry I interrupted you. Now, there may be other points here that you want to call attention to, sir.

A I think I touched on most of the main points, sir. There are others that could be elaborated on.

Q Yes. Well, it is possible as cross-examination goes on that we may ask you to refer specifically to those points.

A Yes, sir.

Q Now, are there any questions which members of the, from those present --

A We have other copies here, sir, if anybody wishes them.

Q I beg your pardon?

A I have other copies --

Q Yes?

A -- of this Submission.

Q Well, have you this, Mr. Bredin?

MR. BREDIN: No, I haven't --

THE CHAIRMAN: Oh, I am sorry.

MR. BREDIN: -- Mr. Chairman.

THE CHAIRMAN: I am sorry. We should have seen to it. Did you have a copy, Mr. Brownlee?

MR. BROWNLEE: Yes, I helped myself.

A The local Fire Department which was set up in '54 has had considerable co-operation from the City Fire Department, but if we wished them we must get the Mayor's consent and find the Fire Chief and they have to check the board to see whether they can allow the Fire Department to come out and it isn't busy and covering another station.

THE CHAIRMAN: And by that time --

A By that time lots of things might happen.

THE CHAIRMAN: I quite appreciate that. Yes, Mr., Mayor Mackintosh.

EXAMINATION BY MR. MACKINTOSH:

Q There are just a couple of points here. Number 26. It reads, "Interdependence in Metropolitan scheme could be

carried out so that each unit would become more self reliant." Could you explain that, Mr. Mayor, please?

A With the assistance of financial and technical staffs that would be available to a Metropolitan Government and the machinery that would be put into force assisting the satellite towns and governments, we figure that they could be made reliant within the body of the Metropolitan set-up itself by means of assisting each other.

Q Don't you think, Mr. Mayor, that the Metropolitan Area scheme is so devised that it takes away the self-reliance of any community and particularly the fringe area in it from they themselves?

A Not any more than our connection with Calgary District Planning Commission which you have had much experience with.

Q But this is a matter of local government, and if you transfer the authority of, or partially transfer it to the Metropolitan Area, don't you think that particular town becomes less self-reliant than what it is at the present time?

A No, only partially, sir.

Q Thank you, Mr. Chairman.

EXAMINATION BY MR. BREDIN:

Q Mr. Maveety, on your question of the Transit System, are you referring to the City Transit System there?

A That is in the case of amalgamation or Metropolitanism, yes,

sir.

Q Are these recommendations, Mr. Maveety, predicated upon amalgamation, is that --

A No, sir, both ways.

THE CHAIRMAN: Mr. Bredin, thank you, what percentage?

A Both ways, sir.

Q Both ways?

A That is right.

Q That is what gave me some difficulty too, it seemed to me that part of it was, you could only accomplish through amalgamation; the other part may be accomplished through amalgamation or might, in your opinion, be accomplished more effectively through a Metropolitan Scheme, but it is a little hard to know?

A I am sorry, I see that now, sir, but I didn't think of segregating the two at the time that I, this was prepared.

THE CHAIRMAN: Yes, excuse me, Mr. Bredin.

Q MR. BREDIN: Well, with respect to the Transit System this would be only applicable in the event of amalgamation, you have no transit system as such in the Town of Forest Lawn now, have you?

A Oh, yes.

Q Any more than the inter-connecting bus?

A That's all.

Q You don't have any routes through the Town itself?

A No, sir.

Q But when you speak of the expansion of the Transit System, you are thinking of the City System there, or were you referring to this bus?

A Under Metropolitanism or amalgamation we figure it would be natural that the City would want to take that service over the same as they are, would like to take over the Light Department at the present time. It would be an expansion of their system.

Q This sentence, "The past co-operation with the City Department has been mostly slow.", with reference to police. Do you find some difficulty getting co-operation from the City Police?

A It is not, I don't believe it comes from the heads, I don't mean that it, how should I put that --

COMMISSIONER ROBISON: The lower echelons are lethargic, is that what you are getting at?

A Pardon?

Q The lower echelons are lethargic.

Q MR. BREDIN: It is not a matter of policy?

A It is not a matter of policy, but there is not too much co-operation with some of the men and some of the departments of the Police. We have had difficulties, yes.

Q Is there anything that can't be remedied, do you think?

A Quite definitely, no.

Q This fire now, I think you are right about this regulation

but as a matter of practice I think the engines do go out if they are not taxed at some other fire, is that not the case?

A Well, --

Q I know they have been out at Bowness a few times.

A We are well pleased with the co-operation of that Department, sir.

Q I think that is all I have, Mr. Chairman.

THE CHAIRMAN: Thank you, Mr. Bredin.

Mr. Brownlee.

EXAMINATION BY MR. BROWNLEE:

Q Mayor Haveety, I am not quite clear as to what you meant when you said you preferred metropolitanism. Now, if the greater Calgary area and the various Municipalities are to be brought together, they might be brought together under one Municipal Government.. On the other hand they might be included in a Metropolitan Area which would still leave individual Municipalities with a certain amount of local autonomy. Now, can you tell me which of those two methods you would prefer?

A Been working toward the one with a master government and leaving the autonomy to the government as they are, mostly to the government as they are now.

Q That is your preference?

A That's right.

Q Now, there must be many reasons for that. I would ask you whether one of your reasons is that under the other system where all the Municipalities might be brought under one government, there might be some fear that the smaller outlying Municipalities would not get the same degree of attention and service that they would if they retained their own personal autonomy, is that correct?

A We don't dread it, but we couldn't for the reason that we couldn't be much more ignored than we are today.

Q Thank you, Mr. Chairman.

THE CHAIRMAN: Are there any other questions?

EXAMINATION BY COMMISSIONER ROBISON:

Q I was just going to say at that point, I don't imagine, Mayor Maveety, that you would use that language that you are more ignored than you are today, unless you felt you had a definite claim on the City, that you were part of the City in some respects, you wouldn't use such language as that, would you?

A No, sir.

Q Therefore may we conclude that you believe that you are part of this --

A We have a definite right to certain things, I believe, that are here. New, for instance, the Cushing Bridge has been 25 years in the making and it has been standing idle down there for six weeks, there isn't a man moving on it,

definitely in the doldrums, and they are only putting up a two or three-lane bridge whereas they could stick one in Elboya a four-lane bridge in a matter of months and it is in operation. It costs people --

Q Is not the crux of the matter that it is in the interests of the City of Calgary to get the Cushing Bridge up as efficiently and quickly, as expediently as possible?

A You would think it would be.

Q Well, I would think that would be the presumption.

A It don't seem like it, sir. It costs people from the East hundreds of dollars in bumped fenders on that bridge every year.

Q Oh, I know, I have been out there.

MR. BREDIN: I wonder if I might say something about that bridge.

THE CHAIRMAN: I wish you would.

MR. BREDIN: The questions that Mayor Maveety is raising were raised in the Council itself, because at the meeting at which it was announced that the Cushing Bridge would not be ready, the contract was let for the Elboya Bridge, it was some time in September, and the question immediately arose why could the contract be let with the promise that the bridge would be ready by Christmas when the other bridge, which had already been let, would not be ready; but it's a very difficult problem, the Cushing Bridge with the subsoil in the river which requires a construction

of very delicate piers, and a lot of that work could not be done in the Winter, whereas the Elboy bridge was a comparatively simple project, and I mention that because it was the immediate question that came up to everyone in Council, the rather peculiar circumstances, and the contractors have satisfied the Engineer that they are doing their best with this Cushing Bridge, and it is proceeding as quickly as can be expected under the weather conditions.

THE CHAIRMAN: Mr. Bredin, I detected, I thought I detected in what His Worship said that he thought the area east should have been served with a wider bridge, a bridge with more lanes, is that true?

MR. MAVEETY: Well, if a four-lane bridge, I believe, I haven't seen the Elboya Bridge, is warranted into a small district like we have down there, why should a two or three-lane bridge to serve two major highways be put on the East side?

MR. BREDIN: Well, that is something I didn't know, Mr. Chairman, I --

MR. MARTIN: I think I can answer that question, Mr. Chairman.

THE CHAIRMAN: You just came in time, sir.

MR. MARTIN: The bridge, the Cushing Bridge is actually built to eventually carry four lanes, in other words the footings are powerful enough to do that when

traffic warrants. It was felt that with the new highway coming in at 16th Avenue it would take a lot of the traffic which is now coming into Calgary in along 16th Avenue along the new Trans-Canada, and for that reason it was expected the traffic on the Cushing Bridge might actually decrease, but that would only be for a time, then when the traffic situation warranted, the bridge would be widened. I think there is another factor which Mr. Bredin might be able to substantiate, and it has to do with Provincial contributions, I don't think there were Provincial contributions in the one case and there were in the other, there were in the case of the Cushing Bridge and I think the Province would be prepared to help out to a certain extent on the Cushing Bridge, and the Elboya Bridge is a much shorter bridge, a much cheaper bridge, not in the sense that it is more cheaply built, it has a much shorter structure, and it hasn't got the same footing troubles which the Cushing Bridge has and therefore it is a considerably cheaper bridge and more economical to build it to its full required width, at least the estimated width in the first place.

THE CHAIRMAN: Mr. Martin, is the Cushing Bridge as now under construction three lanes or two?

MR. MARTIN: No, sir, it has got a 24 foot deck, it is considered a two-lane bridge.

THE CHAIRMAN: Yes.

COMMISSIONER ROBISON: It would seem to me that there is a failure of communication between the City of Calgary and the Village or Town of Forest Lawn. Now, I would think that Mayor Maveety should have known all this, maybe you had a duty to check with the City and find out; maybe the City had a duty to Forest Lawn to communicate these things, but it seems to me very unfortunate that all this should come out at a sittings of this kind. You should have known that, or the City should have known your viewpoint long before this. Apparently you are under a misapprehension over a six-weeks delay on the bridge, and you relate it to a bridge in Elboya, I think it very unfortunate that there has been a failure in communication between these two areas.

MR. BREDIN: Mr. Chairman, Mayor Maveety raised that point about the fact that the Cushing Bridge concerned Forest Lawn, and I thought he had a very good point because it is the main artery between --

COMMISSIONER ROBISON: Unquestionably.

MR. BREDIN: -- those two urban areas.

COMMISSIONER ROBISON: There is no question about it.

MR. BREDIN: I discussed the matter with the Commissioners and I think they felt that they had been somewhat remiss in not discussing the planning of this bridge with the Town of Forest Lawn since it so vitally concerns them, but I know there are one or two other points which,

upon which I think Mayor Maveety has grounds for complaint, there are one or two decisions which are disturbing the Commissioners themselves, because they have not been able to give Mayor Maveety an answer. Now, it is partly the difficulties of democratic government, they must be taken up with the Council, but I know there are some questions of electric light that he has been put off unduly, but it is not from any attitude of, any apparent attitude of putting off, it is the difficulties in getting decisions on some of these matters.

COMMISSIONER ROBISON: Well, he claims some of his correspondence has not been answered, is that right, Mayor Maveety?

A That is right, sir.

COMMISSIONER ROBISON: Now, at least acknowledgment of letters --

MR. BREDIN: I think that is true on one or two occasions. It is not because the material has been ignored, it is because, until the answer has been determined, now, I realize that is not good business to leave that correspondence that way, but it has not been ignored, it has been a question of inability to get the answer to communicate to the Mayor. I must apologize for the City with respect to that.

COMMISSIONER ROBISON: Does that help, Mayor Maveety?

A Very much, sir.

COMMISSIONER HAYES: Has it changed your opinion? Have those explanations changed your opinion?

A Well, it helps but it don't eliminate it.

THE CHAIRMAN: As far as that goes it helps.

COMMISSIONER DAVIES: Mayor Maveety, if you were a citizen of a greater Calgary, instead of writing letters you would just walk in the City Hall there and claim your rights as a citizen of Calgary and you would raise cain and you would be after your alderman, if you weren't an alderman yourself, don't you think that that has something to commend to it, rather than this loose form that you advocating?

A I figure I am a citizen of the Metropolitan Area, and lived in and out of the City and I have talked to some of them but it don't get me any further. I have talked to Alderman Boote and Mayor Mackay and talked to Mr. Bredin and Commissioner Strong, and the answers are not forthcoming there any more than they are --

COMMISSIONER DAVIES: Of course you see you haven't any status, you are a person in another Town, but what I am suggesting to you is if that town were part of Calgary that then you would have your rights as a citizen of Calgary just as if you were on this side of the river, don't you think you could make a lot more noise then and maybe make it effectively?

A I believe we are capable of that, yes, sir.

COMMISSIONER HAYES: Yes, but this is your first

opportunity to get talking to somebody else, isn't it?

A No, sir, we have had the C.P.A.C. and C.D.P.C. too, the Union of Alberta Municipalities to work through before, there are organizations that we can use to work for or work with to the City.

COMMISSIONER ROBISON: Well, Mr. Chairman, there are two or three questions I would like to ask Mayor Maveety.

THE CHAIRMAN: Yes.

COMMISSIONER ROBISON: But I am wondering if you want to adjourn --

THE CHAIRMAN: Oh.

COMMISSIONER ROBISON: -- and wait until I am prepared to proceed.

THE CHAIRMAN: Well, possibly we should do that, Commissioner Robison, and take recess until a few minutes after eleven.

(Hearing adjourned at 10:50 a.m.)

(Hearing reconvened at 11:02 a.m.)

THE CHAIRMAN: Mayor Maveety, before we resume any cross-examination I would like to ask you to make a further statement in the matter of the public meeting. There seems to have been, to have arisen in the minds of the Commission some doubt as to what you said. Will you tell me if my understanding is correct or incorrect. I understood you to say that when the meeting opened, or during the early part, there were 150 persons present, approximately,

ALBERTA PROVINCIAL LIBRARY

that the discussion was of considerable length and by the time the actual question was put to them as to whether they would prefer amalgamation or some other plan, that a majority, that there was approximately 75 persons present and that a majority, not specifying the number, voted in favour of amalgamation, is that correct?

A With conditions.

Q With conditions, yes, presumably with conditions to go on with this --

A No, they didn't put it exactly that way --

Q Well, --

A -- they put it that the work should be carried on with as much despatch --

Q Right. You have stressed that from the beginning that the only terms on which the people --

A Yes.

Q -- of Forest Lawn would consider amalgamation would be that they could get some assurance from the City that development would go forward as rapidly under the new plan at least as the Town hopes to be able to do it themselves?

A Yes.

Q And that statement you are subscribing to?

A Yes.

EXAMINATION BY COMMISSIONER DAVIES:

Q Mr. Chairman, could I just follow that up?

THE CHAIRMAN: All right.

COMMISSIONER DAVIES: -- at this time here and say, is there division on your Council as to whether you are in favour of amalgamation or a form of metropolitan government, is the Council divided on that?

A I might put it this way, sir, that --

Q Well, I wonder if instead of putting it that way if you would tell me whether or not the Council is divided, just yes or no. Is the Council divided on that?

A No, sir, they were solidly behind the --

Q All right. Is the Council solidly against amalgamation?

COMMISSIONER HAYES: Let him answer the first question first. There is a division in the Council --

COMMISSIONER DAVIES: Well, he said he couldn't answer it that way.

COMMISSIONER HAYES: Yes, he could.

COMMISSIONER DAVIES: Well, will you just let me finish with this witness, Mr. Hayes, and then if you are not satisfied you take him on.

THE WITNESS: Yes.

Q COMMISSIONER HAYES: Now, I would like to know is the Council solidly against amalgamation, that is a simple question?

A Yes.

Q And you feel the Council represents the opinion of the people of the Town of Forest Lawn?

A I believe so, sir, yes.

Q In other words you feel that the majority of the people of Forest Lawn are against amalgamation?

A Well, --

Q Now, I am talking about amalgamation or annexation, whatever you want to call it, I am not talking about a metropolitan system of government, I am talking about amalgamation.

A Without some assurances, yes.

Q Well, I don't think hardly that that answers it yet. I take it the assurances are that the present developments in the area in respect to sewer, for example, should continue at the same pace that they were if they were left alone to do it themselves, is that one of the conditions?

A That's right.

Q And are there any other conditions?

A That they would expect respect for our zoning and so on, as laid down in some of the conditions in this paper.

Q All right now, let me go back to the start again. The Councillors of the Town of Forest Lawn are solidly against amalgamation, is that right?

A Without any assurances.

Q Well, all right. That is then, is there some division on the Council then?

A Under the terms laid down by the City that there would not be a nickel expended in Forest Lawn, they were solidly against amalgamation.

Q Well, let me ask you this question then, if there are

reasonable assurances that the sewer projects at present under way in Forest Lawn would be continued with the same degree of speed that they would be continued if you were left alone, would it be correct to say that a majority of the members of the Council are in favour of amalgamation?

A I think so, yes, sir.

Q And a majority of the people of Forest Lawn are in favour of amalgamation?

A That's right, sir.

Q Thank you.

THE CHAIRMAN: Now, Mr. Hayes, do you want to follow it up any further?

COMMISSIONER HAYES: That clears it up with the questions he asked the man.

THE CHAIRMAN: Yes, thank you very much, Mr. Maveety.

COMMISSIONER HAYES: Now, wait a minute, if that --

THE CHAIRMAN: I wasn't getting ready to excuse him.

COMMISSIONER HAYES: Oh.

THE CHAIRMAN: I merely wanted to say that I appreciated the frankness with which he had dealt with the question. All right. If you want to ask him, now is your chance.

EXAMINATION BY COMMISSIONER HAYES:

Q I was interested from the standpoint that you mentioned that

in this metropolitan set-up you would like to share the taxing of industry in the district, is that right?

A That's right, sir.

Q That would be industry situated outside of the city limits, is that right, or did that include industry within the city limits?

A All the business and industrial tax base in and around, throughout the Metropolitan Area.

Q That is not within the City though?

A Yes, certainly.

Q Within the City as well?

A That is right, sir.

THE CHAIRMAN: I think we are clear when you are talking now about Metropolitan Area you mean the towns that have been mentioned plus the City of Calgary?

A Their proposed Metropolitan Area.

Q Yes. All right, the City's proposed Metropolitan Area?

A Yes.

Q COMMISSIONER HAYES: Yes, we are clear on that point now.

THE CHAIRMAN: Yes.

Q COMMISSIONER HAYES: Have you given any thought to the people outside of your area that they might have a claim on the tax of industry or do you feel it would just be confined to the Metropolitan Area of the City?

A No, I haven't in that vein because beyond the limits of the

boundaries now I don't think there is too many or any organized areas within close proximity to the Metropolitan or amalgamated area that the City is proposing.

Q Well, then the Metropolitan Area to you would extend how far outside of the city limits?

A As the City map proposes.

THE CHAIRMAN: Yes, as the City proposes.

Q COMMISSIONER HAYES: That would be the boundary?

A With some corrections.

Q What about industries that might locate just outside of that boundary line now and in the future?

A I have proposed, sir, that they be controlled by Calgary District Planning Commission, or some such body and be made to go where that body designates.

Q What about the tax, supposing they are located where the Planning Commission would advocate and so on, and they are outside of this particular area, the boundary that is now suggested, what about the tax of that industry then?

A They be not allowed to go outside, sir.

Q Should not be allowed?

A That's right.

Q The Planning Commission should so arrange it that they would not be allowed to go out?

A No.

Q Now, if I get it clearly in my own mind whether you are annexed to the City or not requires some financial assistance

from someone, in other words your troubles are not over by being annexed to the City, because they need help and so on the supposition that you are going to require help and they are going to require help, you feel that if you got sufficient help you would like to carry on as you are, the Town of Forest Lawn?

A I believe it's possible, yes.

Q Never mind possible, what would you like to do?

A Under Metropolitanism I believe that, as I stated here in this supplement, that it is possible to become self-efficient. In the case of amalgamation the City would have a, naturally have a bigger population, have a bigger voice, and due to the fact of Government recognition now, there will probably be more assistance coming to the larger area, it would probably be forthcoming on any orders that are brought down.

Q Well, that is purely a supposition, whether they will get more assistance or not, isn't it?

A It is, it is requested.

Q I know it is requested but --

A Well, it is requested for amalgamation, why should not one go with the other?

Q No, but you feel that if Forest Lawn got exactly the same assistance as the City of Calgary might get from some source it would help their financing. Would you be prepared to carry on in preference to amalgamating with the City of

Calgary?

A I hadn't thought of it in that light, sir. I figured that with the, with the tax base spread economically and split up, that we might get along under the, with the assistance we are getting now.

Q Very good.

THE CHAIRMAN: Mr. Robison, any questions?

COMMISSIONER ROBISON: Yes.

EXAMINATION BY COMMISSIONER ROBISON:

Q Mayor Maveety, one of the things that has impressed me as a member of this Commission was the report of the Medical Officer covering the situation in the Town of Bowness. Are you familiar with that report?

A No, sir.

Q Showing contamination of the water out there with a possibility of an epidemic and a serious health situation developing--

THE CHAIRMAN: Well, Mr. Robison, Mr. Wright, Dr. Wright referred to Forest Lawn specifically. Do you remember that? How many wells did he say in your, on the test were found contaminated in Forest Lawn, was it 17?

A I believe that is right, sir.

Q Yes.

COMMISSIONER ROBISON: Well, what I am getting at is something different though.

THE CHAIRMAN: Sorry.

Q COMMISSIONER ROBISON: Which would lead me to believe that something must be done with respect to that area, I mean Bowness, involving sewer and water, so that in case amalgamation is recommended by this Commission and implemented by the Legislature would you be willing to take your reasonable chance with regard to sewer and water, having regard to the needs of Bowness, Montgomery, and Forest Lawn?

A Yes.

Q In other words, you would be willing to consider their, their very real needs in view of this health situation?

A Oh, yes, sir.

Q Good. Now, I refer you to number 1 in your Supplementary Brief reading from the beginning, "This project to be carried out as presently planned.". Now, I am not clear , you got an engineering report and you have had certain financial arrangements made with regard to it; has the City any specific knowledge of what has been presently planned in Forest Lawn as regard to sewer and water?

A I believe so, yes, sir.

Q And you think it would be acceptable to them, the planning?

A They have asked for one change, and I think it has been complied with.

Q There has been liaison in other words?

A Some, yes, sir.

Q Yes. I refer you to number 11 under Health, "Health Unit or

a Department of Health to be set up.", and then there is another one, I want to check with that one where I think there is something about a Health Officer, I just can't lay my hands, oh, yes, number 15. Do you mean, Mayor Maveety, that one of your conditions would be the establishment of a Health Officer, a Health Office and the appointment of a Health Officer for Forest Lawn?

A At least the Officer should be available to the district.

Q Well then, would you be satisfied with the present Health Department and Health Officer of the City of Calgary to cover your town, your area?

A If it be expanded to take care of that area, yes, sir.

Q And necessity for that expansion could be a matter of debate in whatever governing body was set up?

A Yes, sir.

Q All right. Number 13,"Review of the present code", what code governs your situation in Forest Lawn at the moment?

A We are under Interim Development at the moment.

Q Is there a Building Code?

A We have some, yes.

Q Are you aware that the City of Calgary has adopted and, or is adopting the National Building Code with some changes made necessary by the situation in this area?

A I believe I have heard that, yes, sir.

Q Would you be satisfied with that amended National Building Code, insofar as your area is concerned?

A With some consideration as has been mentioned here previously that a graded area should be allotted somewhere in the Metropolitan Area for starters in life.

Q Well, are you aware of any regulations in the National Building Code that would prevent that sort of thing?

A Not that well-versed in it, I couldn't tell you, sir.

Q All right. Number 2, assessment. You say,"The assessment should have a graduated scale for land and improvements from city centre outwards." Are you familiar with the operation and rules governing the assessments in the City of Calgary?

A No, I have had nothing to do with them.

Q Now, you know of course that they assess an area like Ogden, which contains a number of small homes, and, both land and improvements, and that the assessment in that particular area is, is quite low, are you aware of that?

A I have an idea it would be so, yes.

Q Have you any idea as to whether the assessment on the land in Ogden, for example, is higher or lower than in Forest Lawn at the present time?

A I have no comparison of it, sir.

Q In other words what I am driving at, Mayor Maveety, is this, that inevitably in assessing work differentiations are necessary and graduations from a sound assessment viewpoint. My question is, would you be satisfied with the present Assessment Department of the City of Calgary and its

operations?

A Well, we use a graduation scale even in our town, and I expect it's used in the City, and that point was put in there too, because we know that the City Act is different than the Town and Village, and the factor that we are strictly an area off by ourselves, we figured that that factor should enter into the picture as well as graduation away from the strictly business and high taxation point in the town.

Q Well, what you really mean, I think probably, is in assessing a place like Forest Lawn that a lot of common-sense is necessary as to the value?

A That's right, sir.

Q Yes. Now, under number 29, "Debts should be charged to the larger area and where Commercial and Business areas adjoin, assessment values should be revamped to allow for distribution purposes.". What does that mean?

A In, in the case of Metropolitanism that more land should be brought into the area to take care of the business in that area. Now, we are asking for our boundaries to be made co-terminus with our school boundary expanded out, and also that adjoining land to a business district, or in the case of industries coming in that the land values should be graded away from a high value land.

Q Would you agree that that is sound assessment practice in any case?

A Yes, sir.

Q Number 40. You speak of representation on the Government Body. Will you spell that out as far as you are able, Mayor Maveety, please?

A In the case of a Metropolitanism we would expect to have a fair representation along with the other satellite towns on any master governing body, and in the case of amalgamation we would expect to be, along with Bowness and Montgomery, we would expect the Council to be expanded enough to give us a representation with a man from that area to take care of our needs on the Council.

Q Well, what you are saying then, if an amalgamation was approved, recommended and approved, you would favour permanent ward representation, shall we say, from your area?

A I think it would be essential, yes, sir.

Q Would you be satisfied, for example, for a form of representation for a period of years, say five years, while the growing-together situation is proceeding?

A That might work out satisfactorily. I am not prepared to answer that definitely, sir.

Q I refer you to your note where you say, "We are progressing, but our competitor, Calgary, has more business experience and greater reserves." I am interested in that phrase "our competitor, Calgary,". What I am wondering, and I wondered it in Edmonton and I am wondering it here, whether enough thought has been given by what one might call the

outside areas, to the pressing problems of Calgary city itself. We hear all about the problems of Bowness, the problems of Montgomery, the problems of Forest Lawn, what about the problems of Calgary? Have you studied the Calgary Brief and the District Planning Commission Brief, Mayor Maveety?

A I have followed it, yes, sir.

Q Do you believe that the City of Calgary, apart from financial problems, is facing a serious situation as to its growth?

A Yes, sir.

Q With regard to land and sewers and other matters?

A They have some very large problems, sir.

Q Thank you, Mayor Maveety.

RE-EXAMINATION BY COMMISSIONER HAYES:

Q I would like to ask you, Mayor Maveety, of the three set-ups carrying on as you are, a metropolitan set-up or annexation to the City, would you place those in the manner of your choice? What do you feel the majority of the citizens of Forest Lawn would wish of those three alternatives?

A I would place amalgamation with conditions on top.

Q First?

A And then Metropolitanism, and lastly stay as we are.

THE CHAIRMAN: Very good, sir.

COMMISSIONER ROBISON: Well, that is what the voting indicated, isn't it?

A That's right.

THE CHAIRMAN: Then, Mayor Maveety, --

MR. BREDIN: Mr. Chairman?

THE CHAIRMAN: Oh, yes.

MR. BREDIN: Could I ask the Mayor just one more question?

THE CHAIRMAN: Yes.

EXAMINATION BY MR. BREDIN:

Q Dealing with the City's proposal as to the area, you added the words "with some corrections". Could you tell us now what corrections you would suggest to the proposed area?

A Well, it has been proposed that there would be some corrections in the Bowness area, and I think it has been pointed out already that, by Conrich that there would be some correction to the north of Forest Lawn and your area now doesn't cover our Bow River School District.

Q I think Mr. Gardiner, Secretary-Treasurer of Conrich Municipality suggested that instead of taking a half-mile strip on the east, you would have to go further east, is that what you have in mind?

A Yes.

COMMISSIONER ROBISON: And the Silver Springs district in Bowness, that was another.

A Yes.

Q Thank you.

MR. SEQUIN: Could I ask one question?

THE CHAIRMAN: All right, Mr. Sequin.

MR. SEQUIN: Could I ask it from here?

THE CHAIRMAN: Well, if you speak very distinctly.

EXAMINATION BY MR. SEQUIN:

Q Would you go along with the idea, Mayor Maveety, of complete amalgamation with an appointed Administrator for the three areas of Montgomery, Forest Lawn and Bowness, with the Administrator to be paid by the Government and appointed by the Government? I think that would do away with possibly three extra Councils.

THE CHAIRMAN: But Mr. Sequin, you started in with your question by saying complete amalgamation, did you not?

MR. SEQUIN: That's right.

THE CHAIRMAN: Complete amalgamation?

MR. SEQUIN: Complete amalgamation for the three probable --

THE CHAIRMAN: Oh, I am sorry, with --

MR. SEQUIN: Charged with --

THE CHAIRMAN: Oh, I am sorry, just with the three groups?

MR. SEQUIN: Well, the three present groups --

THE CHAIRMAN: Yes.

MR. SEQUIN: -- that are trying to get --

THE CHAIRMAN: You mean excluding the City of Calgary?

MR. SEQUIN: Oh, yes.

THE CHAIRMAN: Yes. Oh, I am sorry, yes. All right, Mr. Sequin.

Q MR. SEQUIN: Complete amalgamation with an appointed Administrator to do away with the three extra Councils?

A Well, under amalgamation, as I understand it, the three Councils would be done away with, sir.

Q Well, did you want, but you want individual local representation?

A That is under Metropolitanism.

Q Yes. What I am trying to squeeze in there is that would you be satisfied with one Adminstrator for the three, providing that is within the stature of the Provincial Government?

COMMISSIONER HAYES: You mean one representative?

MR. SEQUIN: One representative.

COMMISSIONER HAYES: Yes.

MR. SEQUIN: One paid representative for the three. I think possibly that would be more satisfactory, that is only my opinion, more satisfactory.

COMMISSIONER DAVIES: Mr. Sequin, do you mean by an Administrator an official appointed by the Provincial

Government is that what you mean?

MR. SEQUIN: Well, --

COMMISSIONER DAVIES: And no local Councils and no local self-government at all, is that what you mean, when you asked him that question?

MR. SEQUIN: Yes. Not, apart from the City of Calgary, the City of Calgary retains their own administration.

COMMISSIONER DAVIES: What you are asking Mr. Maveety or Mayor Maveety, is would he be in favour of Forest Lawn Town, the Town of Bowness, and the Montgomery Hamlet --

MR. SEQUIN: That's right.

COMMISSIONER DAVIES: -- all being united together under one provincially appointed Administrator and having no Councils at all?

MR. SEQUIN: That's right.

COMMISSIONER DAVIES: And letting one Administrator administer them, is that right?

MR. SEQUIN: That's right.

COMMISSIONER DAVIES: Just as is done where a Municipality goes bankrupt, in other words they step in and appoint an Administator, that is the kind of administration you have in mind, is it?

MR. SEQUIN: The same as they did for the Town of Hanna a few years ago.

COMMISSIONER DAVIES: Right, and the Town of Beverly. Now, can you answer that Mr. Maveety, Mayor Maveety, that

is clear, isn't it?

A Well, yes, but I think Mr. Sequin also means that it is, that is to be representation on the City Council, is that what you mean, sir?

MR. SEQUIN: Definitely, yes.

THE CHAIRMAN: On the City Council?

MR. SEQUIN: Well, not on the City Council, but to present our grievances as he sees fit.

THE CHAIRMAN: To the Council, to the City Council or to whom?

MR. SEQUIN: Well, to the, I mean, if, if there was an extra three Councils set up for Bowness, Montgomery, and Forest Lawn, they would have to be able to sit in on the, on the Calgary Council.

THE CHAIRMAN: I am afraid you have got us in such deep water --

COMMISSIONER HAYES: I think --

A Well, instead of representation I think the gentleman means that, instead of representation elected at large to represent the satellite towns on the City Council that rather the Government appoint an Administrator to look after each of those area's businesses on the City Council.

MR. SEQUIN: That's right.

THE CHAIRMAN: You can answer that.

MR. SEQUIN: If that is possible now.

A It has its advantages, but I wouldn't care to answer that

definitely, sir.

Q Thank you.

THE CHAIRMAN: Well, I suppose, now, Mr. Whitlock has been here very patiently all morning, and I certainly want to hear him before the noon recess. Mayor Maveety, assuming that there are no more questions at least for the moment, will you introduce Mr. Whitlock and have him qualified as a witness?

MR. MAVEETY: Yes, sir.

THE CHAIRMAN: Mr. Maveety, before you proceed with, I had forgotten that we had, yesterday I promised Councillor De Neve that this would be received as an Exhibit and numbered. I would like to do that first. This will be 69C, and will naturally follow your Supplementary Statement.

MR. MAVEETY: Thank you, Mr. Chairman.

DOCUMENT PRODUCED BY COUNCILLOR DE NEVE THEN MARKED AS EXHIBIT 69C.

THE CHAIRMAN: Now then, you may proceed.

ARCHIE WHITLOCK, having been duly sworn, examined by Mr. Maveety, testified as follows:

Q Now, Mr. Whitlock, you are, you act in what capacity for the Forest Lawn Light and Power Company?

A Secretary-Treasurer. Could I interject just for a second, Mr. Chairman?

ALBERTA PROVINCIAL LIBRARY

THE CHAIRMAN: Yes.

A This letter was addressed to Frank E. Whitlock, he is our Managing Director, and we got such short notice that he had reservations on the 'plane to go to Seattle and attend a Clinic there, and I hope though that I can take his place to the best of my ability. He would have been here --

THE CHAIRMAN: We are very grateful to you for coming to take his place.

A Yes.

THE CHAIRMAN: We, of course, didn't know --

A No.

THE CHAIRMAN: -- anything about the state of his health.

A No.

THE CHAIRMAN: All right, Mayor Maveety. You were qualifying this witness. He is the Secretary-Treasurer.

MR. MAVEETY: Right, sir.

THE CHAIRMAN: And the man to whom the letter was sent, Mr. Whitlock, is the President of the company?

A And Managing Director.

THE CHAIRMAN: And Managing Director, yes.

Q MR. MAVEETY: Now, this Commission has requested by letter that you bring in certain data for its information and we wish to thank you for your promptness in coming in

and presenting this data to them. The company has been in operation for how long, Mr. Whitlock?

A Since 1926.

Q Will you take it from there, Mr. Chairman?

THE CHAIRMAN: Yes, thank you very much. Now, Mr. Whitlock, I may say that the Commission invited you to come because there were some questions arose out of the evidence of Dr. Gaherty the other day of Calgary Power, and I am going to ask Commissioner Blackstock, who has made notes at that time to carry on the examination.

EXAMINATION BY COMMISSIONER BLACKSTOCK:

Q What was the date of incorporation of your company?

A We have it here, Mr. Blackstock. I think it was in, some time in July, 1926.

Q What is the authorized capital of the company?

A It's capitalized at $25,000.00.

Q Pardon?

A $25,000.00.

Q Yes. Is that the authorized capital or is that the issued capital?

A No, that is the authorized capital.

Q And what is your issued capital?

A 7,370 shares.

Q Yes, and their par value?

A At that time was $1.00.

Q And has the par value been changed?

A Well, we never had it on the market.

Q No, so that at the present time your issued capital is 7000 and something and par value $1.00 each?

A That's right.

Q And I assume that your Memorandum of Association sets out the powers that you possess?

A That is correct, I have them here, Mr. Blackstock.

Q Yes. Well, as a matter of fact, Mr. Whitlock, I would like to see them. Now, I don't want you to file them as an exhibit, but I would like to see them and you shall have them back.

A Thank you.

Q Now, it is my understanding, Mr. Whitlock, that you bought out the Weno Power and Light Company?

A That is correct.

Q And that that company was incorporated by an Act of the Legislature?

A That is correct, sir.

Q In 1914, Chapter 47?

A Yes.

Q And it's my understanding that you bought all of the assets of the Weno Company. What did those assets consist of at that time?

A Not very much, Mr. Blackstock. We had 11 consumers and

approximately five miles of old power line that was sold for scrap, and at that time a chap by the name of Mr. Riddock, since deceased, bought that over with the idea of scrapping this power line, but as I say there were 11 consumers on that line and my brother was the youngest Master Electrician around the country at that time and quite ambitious, went through that area now called the Town of Forest Lawn and gathered up a petition signed by all these people that he would supply electric power and light to them if they went along and got their houses wired. Of course he was an electrician, he had his eye to that too, so that with that in view we bought this power line from this, this scrap power line, continued to operate it and then, of course, expanded from there.

Q And what did you pay for this little plant?

A We paid him $2000.00 but we, when we formed the Forest Lawn Power and Light Company the Directors awarded us 3500 shares.

Q So the actual money put into the company at the beginning was $2000.00?

A That is right, sir.

Q And I assume that was put up by you and your brother?

A That's correct.

Q Now, my understanding is that the document which conveyed the title to this property to your company also purported to convey to you the charter of the Weno Light and Power

Company?

A That was our understanding. Of course our now Chief Justice Ford and Justice Harvey took over and handled everything as you see later.

Q Well, whether it was right or wrong, Mr. Whitlock, doesn't matter at the moment, but am I right in my understanding that they purported to sell to you this Statute --

A That is right.

Q -- which incorporated the company?

A Yes, that is correct, Mr. Blackstock, yes.

Q And is it correct to say that you have acted on the assumption that you held all your powers that were granted to your predecessor by this Statute?

A That is right, sir, yes.

Q Now, Section 4 of this Statute gave you power to construct transmission lines lying within Sections 13 and 14 in Township 24, Range 29, Section 18 in Township 24, Range 28, West of the 4th Meridian. Is the Town of Forest Lawn within these sections mentioned.

A I believe that is correct, Mr. Blackstock.

Q And it is correct too, I think, that you have extended your lines both east and south?

THE CHAIRMAN: Beyond these boundaries?

Q COMMISSIONER BLACKSTOCK: Beyond these boundaries?

A That is correct, sir.

Q Yes?

A I believe that we did have some additional territory put into that section of the Act later on, Mr. Blackstock.

Q You mean by an amendment to the Statute?

A By an amendment.

Q What I am anxious about though at the moment, Mr. Whitlock, is that the property described either in Section 4, or in an amendment, embraces the Town of Forest Lawn --

A That is right.

Q -- Albert Park, Forest Lawn, Hubalta?

A That is correct.

Q Now, Section 4 also provides, "provided that the rights and privileges by this clause granted to the company shall terminate on the expiration of fifteen years from the day on which this Act is assented to.". Now, fifteen years have gone by long ago, is that correct?

A I believe it is ten years, Mr. Blackstock. My understanding is ten. If --

Q Well, I have --

A -- if it is fifteen we gain five.

Q Well, I have the Statute in front of me and it says fifteen.

A It says fifteen?

Q Yes. It doesn't really matter whether it is ten or fifteen, that period of time has gone by?

A Yes, sir.

Q Long, long ago. Now, under what authority are you operating in this area?

A Mr. Blackstock, when that, we will say that franchise expired, we immediately contacted Mr. Harvie, who, of course had taken over the firm of Ford, Miller and Harvie, and he looked up a, some Statute, not at the particular moment when we visited him, but he said, "You come back or I will contact you.", and he looked up some statute and where it is, right now we are searching for this Statute, our lawyers, and he said, "You don't have to worry any more about a franchise.". Under some Act that he dug up he said, "You can carry on as long as you comply with the, with the requirements of the Minister of Public Works.".

Q At any rate you have no authority in that area except whatever authority is conveyed to you by the Statute?

A That is right, sir.

Q I suppose since you are looking for this Statute that Mr. Harvie spoke of, have you begun to realize that your position may be a little precarious?

A Not necessarily, Mr. Blackstock, with the, we have carried on here now until this amalgamation feature came up, and we have carried on, of course, through the Public Utility Board, and they are, have been very courteous to us. You notice Mr. Baines wrote us a very nice letter, I am just looking for the copy of it here, and suggested, just as you say, we are probably skating on thin ice, and suggested that we approach the Town of Forest Lawn and they would assist us in drafting up a proper franchise and put us in order

again, but in the meantime, as I say, we are going to meet our lawyers on Tuesday, February 1st, and maybe I can give you some more information at that time.

Q Well, if you get that further information, Mr. Whitlock, will you bring it to the Commission?

A I certainly will, yes.

Q Now, Section 7 provides, "The company shall connect with its gas mains or electrical transmission lines or either of them any building erected on property adjoining which such gas mains or electrical transmission lines are constructed, either in or along the street, avenue, or lane--" and so on, "--upon the proper person signing the company's application therefor and paying the expenses of such connection and of the installation of the proper pipes or wires as the case may be:" Now, you have continually acted on the provisions of that Section--

A That is correct.

Q -- when you have a new customer. And would it be correct to say that there has been a good deal of friction between yourselves and your customer because of your method of interpreting this provision?

A I would say a few there, Mr. Blackstock, that is correct, there has been some protest on the part of prospective members.

Q And would I be correct in saying that you have even at times insisted on customers paying for transformers when

new transformers were required?

A That is in new construction, Mr. Blackstock, after they are hooked up, and we probably say, we will say for example ten new consumers on that particular line, then we change the transformer at our cost.

Q Have there not been cases where you have insisted on the customer paying the cost of the new transformer?

A As I say, I am just the Secretary-Treasurer, now that might have happened, if the Managing Director could, and it would only be the odd case if there is, I don't know of any person, there might be the odd case but I doubt it very much, Mr. Blackstock.

Q And have not a good number of the protests that you have received been because you had too many customers hooked onto the one transformer?

A Yes, we try to correct that, we get them protests quite often.

Q And would it be correct to say that a lot of those corrections were done more or less under compulsion of the Electrical Inspector?

A Not necessarily --

Q No, but --

A -- we do try --

Q Don't bother about not necessarily, is that not the case, that some of those changes were made under compulsion of the Elctrical Inspector?

A I would say no.

Q Now, you were asked to bring your Balance Sheets, Mr. Whitlock. I don't want to examine your Balance Sheets and make them public, this is not the proper place for that, but will you tell me what your plant account shows, that means your lines, transformers, all of your equipment, poles --

A Yes, I have that here

Q Yes?

A Our fiscal year ends in April and our last audit is in, of course is dated April 30th, 1954.

Q Yes. Well, give me the figures for that?

A Our plant equipment as at April 30th, 1953, was $40,311.65.

Q Well, we will call it $40,000.00 in round figures.

A That was at '53, but in '54 it stood at $44,000.00.

Q 44,000. Where did the difference come from, that is the difference between the $2000.00 that was put in and the present value of the plant and equipment?

A Them are contributions made by consumers, customers.

Q Pardon?

A Contributions made by customers.

Q Yes?

A That is if we build a half mile of line we charge them accordingly.

Q Yes, under the provisions of Section 7?

A Well, I will be honest with you, that is pretty well worn

out, I haven't paid much attention to that, I will be quite frank about that.

Q Well, at any rate that $42,000.00 came from your customers either in the shape of profits or of capital contributions?

A That is correct.

Q Yes. Now, you are aware, no doubt, Mr. Whitlock, that there is, this Commission is charged with a duty of investigating the question of boundaries of the Cities of Calgary and the Cities of Edmonton?

A Yes.

Q And there is a suggestion before the Commission now that the Town of Forest Lawn, Hamlet of Montgomery, the Town of Bowness and other areas be amalgamated as the City of Calgary, and you, of course, are aware that the City of Calgary distributes power in all of those, in those areas other than Forest Lawn, and domestic power in the suburban area?

A That is correct, sir.

Q Now, what do you think your position should be, and what should we consider a proper recommendation to the Government with respect to your operations?

A Well, if you further continue in that Act, Mr. Blackstock, you can see there is a provision there, and we would gladly abide by that, that is the Town itself to take over the power company.

Q Yes, I know.

A And if the City desire to take it over, we will go right along with it.

Q That is Section 5?

A Yes, I believe it is.

Q But supposing, well, answer me this assumption, assume that you are quite in error in believing that your authority comes from this Act, then your position is that you are simply in the Village, in the Town as a matter of grace and not as a matter of legal rights?

A If you put it like that, but we don't look at it like that --

Q No, no, I am merely asking you to make an assumption.

A Yes, I would say you are correct.

Q Yes?

A Yes.

Q And your position with regard to the City of Calgary might be a little awkward in the event of amalgamation, I mean the City could say, "Now, you have been here for a number of years and you have no right here, take your equipment and go.", now, that is something that might happen.

A Yes.

Q But I want you to tell me if you will please what, how you think you should be dealt with, apart altogether from buying you out?

A Well, if Frank, if my brother was here, he has already been dealing with the City Commissioners, Mr. Strong and Mr.

Wilson, who is the Superintendent of the City Light and Power. They are quite aware of our statement, they have a copy of it, and we went so far as to ask our Auditor to explain any of this statement that might be a little confusing to them, and we are quite willing to abide by any decision that is made with respect to taking over our power line. I can tell you quite candidly that I put in quite a bit of my time out there and I am highly underpaid, that don't need to go in the book here, but I have a regular job with the Canadian Pacific, I am a Locomotive Engineer and I have a full-time passenger run, and we have looked after this, and I am still quite interested in it. My brother is quite ill now, and he is quite prepared to sell out, any reasonable offer at all why we have no objection whatsoever.

Q Now, --

A Of course we don't want to give it away, naturally.

Q No, no, and you don't want to be told to get out either.

A No, we will stay there until something happens.

Q That is what I have been thinking about, Mr. Whitlock. Supposing the City did say to you, "You get out.", could we not make some recommendation that you should be allowed to remain in business for a period of five years or something--

A Yes.

Q -- until you can get yourselves squared away?

ALBERTA PROVINCIAL LIBRARY

A Listen, that would suit us, two years would suit us, but --

Q Yes?

A -- but any recommendation that this Commission would make we would certainly abide by it and appreciate it.

Q Now, this is an awkward question, Mr. Whitlock, but I think I must ask it. Is it the case that your public relations in Forest Lawn have been very very poor?

A We had the Mayor and the Town Clerk here, and I would say no, that is not dealing with me --

Q No?

A -- but I do know the Managing Director, my brother, does get into these various quarrels. He calls some of these people a Squawk Committee, and he has been fair with the Mayor and appeared before their Council and answered all their questions, but there always is a Squawk Committee, and he don't have the patience like I do, I am sure I get along with them but I do know that he don't get along so good.

Q Well, in that respect, with that, I am going to deal just with one little matter, I am going to ask you when I read this to you if you would appreciate receiving a letter such as this. "From the Forest Lawn Power and Light Company and it is dated the 10th of January, 1955," and it purports to be a copy of a letter from the Company, and purports to be signed by A.W. Whitlock, Managing Director, and in this letter there is one paragraph that I am going to read.

"To inject my opinion into this matter we would very much like to know who is running the Forest Lawn Power and Light Company Limited, the Ratepayers Association, the Squawk Committee, the Town of Forest Lawn or THE FOREST LAWN POWER AND LIGHT COMPANY LIMITED." Now, doesn't that indicate a rather poor state of public relations?

A Yes, I didn't like to see that in there, but I read that letter, as a matter of fact I typed the letter, but he was the Managing Director, I didn't like it in there but he had to get a load off apparently, and that's how he got it off. It isn't very good, I will admit that, but I told him, I said, as a matter of fact he had included in here the Public Utility Board, I said, "For God's sake take that out --

Q I was coming to that, Mr. Whitlock. Would it be correct to say that if you and Mr. Baines of the Public Utility Board had been handling matters there would have been no difficulty at all?

A I would say that, yes.

Q But when your brother is handling them there was always difficulty?

A That is correct, yes, I don't like to say that, but that is correct.

Q And is it correct that the Public Utility Board has had to call on the Electrical Protection people for assistance in compelling your brother to do things that he had

refused to do?

A They have so ordered, yes.

Q That is all, thank you.

COMMISSIONER DAVIES: Has your brother's health been pretty bad for some time, Mr. Whitlock?

A Yes, it has been for pretty near 18 months, he has gone for a check-up down there, probably that adds to this --

Q Yes, I am sure it does.

THE CHAIRMAN: Mr. Whitlock, I am not sure what other questions there may be. It is time for adjournment. Would you, would it be possible for you to return at two?

A You bet it would. I go to work tonight, but if I am not too long, if I get out at four --

THE CHAIRMAN: Well, I think we can promise not to keep you very long --

A All right.

Q -- and in the meantime those two documents that Commissioner Blackstock has, would you leave them --

A I will give them all.

Q -- over the noon hour so that they could be examined?

A I could give them to you right now if you want them now, Mr. Blackstock.

THE CHAIRMAN: Yes, right now.

A I can come back a little early and probably go over these with Mr. Blackstock if he liked, quarter to two, half-past one?

THE CHAIRMAN: Well, --

COMMISSIONER BLACKSTOCK: Oh, there is no need to do that. Thank you very much, Mr. Whitlock.

THE CHAIRMAN: May I have some bit of a forecast as to, are you likely to be asking Mr. Whitlock any questions, Mr. Bredin?

MR. BREDIN: No, I wouldn't have more than one or two, sir.

THE CHAIRMAN: No. Yes. Mr. Nolan?

MR. NOLAN: No, thank you, Mr. Chairman.

THE CHAIRMAN: No, will you be likely to cross-examine Mr. Whitlock, I am anxious that he should not be kept here, I didn't realize that he had this other complete job.

MR. MAVEETY: I don't contemplate any, Mr. Chairman.

THE CHAIRMAN: No, and if the members of the Commission, understanding the situation in which Mr. Whitlock finds himself, they will, I am sure, co-operate in every way.

COMMISSIONER ROBISON: I will tell you now, Mr. Chairman, I will have no questions to ask.

THE CHAIRMAN: No, very well. Thank you very much, Mr. Whitlock.

We are adjourned until two.

AFTERNOON SESSION

28 JANUARY, 1955

ARCHIBALD WHITLOCK, recalled, previously sworn, testified as follows:

EXAMINATION BY COMMISSIONER BLACKSTOCK:

Q Mr. Whitlock, during the lunch hour I have looked at your Memorandym of Association, and to be perfectly fair to you and your company, I think I should read into the record part of a paragraph of your Memorandum of Association. "To purchase, lease, take over, or otherwise acquire the rights and powers granted to the Weno Light and Power Company under Statute 47, Statutes of Alberta, 1914." and that, of course, was prepared by your solicitors at the time your company was incorporated. Now I want to ask you about your rates, Mr. Whitlock. You have some charges here, and I notice those are the rates that were effective on October 15th, 1949?

A That is correct.

Q There has been no change since then?

A No, no change.

Q Well then, I am going to ask you to file one copy of those rates. Have you got a good supply of those?

A Yes we have, Mr. Blackstock, yes. As a matter of fact they are hanging on the wall and we hand them to a new consumer. We can send you some more if you wish.

Q There are five copies here. Is that enough? We will just take those five copies which you have here, and that will be Number 70.

THE CHAIRMAN: Have you an extra one for the Secretary, Mr. Whitlock, with you?

A No, that's all I brought with me. I can get him one.

THE CHAIRMAN: If you would mail him one I think the record should be complete. Number 70C.

COPY OF RATES CHARGED BY FOREST LAWN LIGHT AND POWER SERVICE MARKED AS EXHIBIT 70C.

COMMISSIONER BLACKSTOCK: Oh, I see, here is another copy.

THE CHAIRMAN: Oh. Well then, that's for Mr. McGruther.

A Okay, that's fine.

Q COMMISSIONER BLACKSTOCK: How many customers have you, Mr. Whitlock, in the three different classes?

A They are listed on that application for Certificate of Application on that electric, Mr. Blackstock. I brought the two of them, one was just completed, and the last year one. They are not broken down as you wished, they are just straight combination in light users and power users. We lost two power users.

Q You have 770 domestic customers, and that also includes your commercial?

A That is right, yes. We don't have it commercial, they take it through, pretty near all them people have their own house

up there and they take it off that meter if they have a service station, or something of that nature.

Q And your power eight, that's your industrial --

A That's the '53 report, Mr. Blackstock.

Q Yes, that's right. I think that is sufficient for our purposes. Now, we will keep one of those, Mr. Whitlock.

A You can keep them both, I can get a copy of it from Mr. Parks.

Q All right, thank you.

THE CHAIRMAN: Do you think we should mark this as an Exhibit?

COMMISSIONER BLACKSTOCK: Yes.

THE CHAIRMAN: 71 then.

DOCUMENT THEN MARKED AS EXHIBIT 71C.

Q COMMISSIONER BLACKSTOCK: Now I note your balance sheet, Mr. Whitlock, and it appears in addition to your electric light business you have a locker plant?

A That is correct.

Q And you have also an appliance store, that is where you supply stoves, light fixtures --

A That is correct, sir.

Q And electrical equipment of various kinds. Now you have in your Balance Sheet a building showing at $25,088.00, and you have a refrigeration and locker at $11,223.00. Now what is the building used for, the $25,000.00 building?

A That is where we have our office, where the customers pay

their accounts, and where we store our equipment, transformers, wiring, a whole line of hardware and so on for the business. We operate from that point.

Q Yes. And this $25,000.00 building has no reference to the refrigeration and locker plant?

A Yes, there are three departments in that, Mr. Blackstock. We have the locker plant, and the freezer is included in part of it, and then we also run a place, it's kind of a restaurant, it is called the Chicken Gardens, and we rent that to this lady. That was built at that time with the idea -- of course you wax enthusiastic when you are a young fellow, and when we started we were really going to go into the locker business right, and we rented this until such time as we acquired, and we acquired this space, but we never got to that point yet. It didn't turn out as good as it was supposed to.

Q Actually the building will be the total of those two items, that is $25,088.00 and $11,223.00?

A That is right.

Q And that total amount has been allocated between the two phases of your business in the manner indicated?

A That's right, sir.

Q Is the title to that building in the name of the Forest Lawn Power and Light Company?

A That is right, sir.

Q There are two copies of your 1954 statement here, Mr.

Whitlock, and we would like to keep one of them, only it will not be marked as an Exhibit so that no person will have the right to come and examine into your private affairs by a detailed examination of one of the Exhibits. Is that satisfactory to you?

A That is satisfactory to me. Can I get the other two back, we haven't very many copies of them.

Q Well, we are only keeping one.

A That will be fine.

Q You are getting back one copy of your 1954 and 1953.

A That will be fine, thank you.

Q And your Memorandum of Association. Now that's all I have to ask of Mr. Whitlock. Thank you very much.

THE CHAIRMAN: Do you want to say something else, Mr. Bredin?

MR. BREDIN: I just have one question. Mr. Whitlock, you are now buying power from the City of Calgary?

A That is correct.

THE CHAIRMAN: Are there other questions? Thank you very much, Mr. Whitlock.

COMMISSIONER BLACKSTOCK: Pardon me, Mr. McNally, but perhaps Mr. Whitlock has something else he would like to tell us.

THE CHAIRMAN: Well, if there is anything, we have asked you the things we want to know, but maybe there is something you want to say to us.

A Well, I think I would like to say this, Mr. McNally, or Mr. Chairman, you have given us a very fine Hearing. I appreciate the questions that your Commission has asked me, and I think you have dealt with us very fair. Thank you very much.

EXAMINATION BY COMMISSIONER DAVIES:

Q Could you tell us just before you go; I didn't realize you were buying your power from the City of Calgary. Now what are your total annual purchases like in terms of the statement, can you give us what the load was?

A I haven't got them here.

Q Could you write us a letter to the Commission to Mr. McGruther, and tell us what your total purchase was?

A Yes. We have to make that report, that comes under the heading Census of Electrical Stations in Canada, and we have to make a similar report that the Calgary Power or the City makes, and that should be coming up pretty pronto, and when we get that we can give you an accurate figure on that. That will be verified by the City of Calgary as well. I have to furnish Mr. Blackstock with some other information, and I will try and get that for you.

Q Well, would it put you out very much if you did give us the total load you purchased in the 12 months ending April 30th, 1954?

A These are annual reports, or calendar reports, that is they

wind up on the end of the year, and I can get that for you for the end of 1954. I think I can have that for you before you adjourn.

Q Well, Mr. Bredin, I would think we can obtain from you, you meter all your users on that, and you could give us a statement of how much they bought from you in the 12 months ending April 30th, 1954, couldn't you?

MR. BREDIN: I would think we could. I will endeavour to get that.

A Yes, I verified that with Mr. Bredin's manager in the City.

COMMISSIONER BLACKSTOCK: Oh, Mr. Whitlock, does the Power Company charge the locker fees of your business with the power the locker room uses?

A Oh yes, that is set up, Mr. Blackstock, we had that order from the Public Utility Board, and we quickly set that up.

COMMISSIONER BLACKSTOCK: Perhaps that's why your brother thought that the Public Utility Board was running your business.

A No, that is correct though.

THE CHAIRMAN: Well, again thank you very much, Mr. Whitlock.

Well, I am not sure whether His Worship wants to say anything more or not.

MR. MAVEETY: I have nothing more, sir.

THE CHAIRMAN: Now I understood Mr. De Neve to say yesterday, we received his statement, and it is an

Exhibit, and it will be considered by the Commission, but he didn't want to say anything in support of it. Is that correct?

MR. DE NEVE: Yes, sir, I just wish to fulfil, and just a few words to Mr. Robison to try and prove that statement that things can be assets instead of liabilities to a community.

THE CHAIRMAN: Oh yes. I do remember that Mr. Robison said that the statement did not contain quite all the information that he had in mind. You, and your comment on that was that you had furnished them with all the information you had available at the moment.

MR. DE NEVE: That is right, that is right.

THE CHAIRMAN: Thank you, sir. Now I might make a general comment at this time that we are probably, except for cross-examination, leaving the representatives of the areas with which we are particularly concerned outside of the City of Calgary; His Worship Mayor Mackintosh, Mayor Maveety, and Mr. Sequin representing the Hamlet of Montgomery, and I think I share fully the desire of these representatives that these communities for such measure of independence, such measure of self-determination as can be preserved for them. I am a little disappointed that up until the present it has not been possible, doesn't seem to be possible for all the communities concerned to present a united front, but if the time comes -- now Mr. Maveety

ALBERTA PROVINCIAL LIBRARY

came as near to making a major concession this morning as I think anybody could be expected to do, he holding the views that he does. I would like to say that in the event of this Commission making a report favouring amalgamation, in the event of amalgamation coming about, with or without the support of this Commission, I would hope that when legislation is introduced into the Legislature of this Province that the Chief Magistrate of this city, supported by the ranking officers of these communities that I have mentioned, and any others concerned, might appear before the Legislative, the proper Legislative Committee, and present a united front.

MR. MAVEETY: Thank you for those words, Mr. Chairman.

MR. MACKINTOSH: Thank you, Mr. Chairman, and in addition to that, Mayor Maveety has a proposition on hand that the Council of Forest Lawn, together with the Council of Bowness, meet together in the near future to iron out some of our difficulties.

THE CHAIRMAN: Excellent. And I want to thank you personally, sir, for the effort you made to get the information that I asked of you. Yes, Mr. Sequin.

MR. SEQUIN: I presume that in view of the fact that we have no proper Council, and that we are solely at the mercy of the others, I mean we can't meet their demands, I am just here on my own as a property owner in

Montgomery, a light property owner in Bowness, and also in the City, and I hope that I didn't make too much of a nuisance of myself.

THE CHAIRMAN: No. I would think that you would be a perfect reconciling influence.

MR. SEQUIN: Well, I don't know whether the Commissioner knows of the existent conditions in Montgomery today.

THE CHAIRMAN: Is what?

MR. SEQUIN: If you know the existing condition, I mean so far as anybody trying to accomplish very much it is an utter impossibility. There are certain influences there which, I don't say they haven't done a certain amount of good, probably offset by a certain amount of harm, I am not prepared to say, and I want to thank the Chairman and the Commission very much for listening to what I have to say.

THE CHAIRMAN: Mr. Sequin, I am saying that no community of 4000 people can be written off like that.

MR. SEQUIN: Well, that is what I am after. Although there has been a lot of argument put up against incorporation into a Village, which I think should have been done in the years past, and now I realize that it's a little late, you see, so that it has been impossible to do very much.

THE CHAIRMAN: Yes. Now, Mr. Bredin, I would

invite you to inform the Commission as to the procedure which you would like to see adopted at this moment. Do we go to the statement prepared by the Planning Commission, or do you wish to take up one of the submissions of the City?

MR. BREDIN: Well, I would prefer, Mr. Chairman, to deal with the Planning portion partly, because His Worship the Mayor would like to be here when the Brief is presented. I have just telephoned to him and he is not so interested in this part. I am subject to your direction.

THE CHAIRMAN: Well, I think the Commission is quite agreeable to you using your own judgment in the matter. You will present it in the order which is best suited to the City.

MR. BREDIN: We will then proceed with that portion then, Mr. Chairman.

THE CHAIRMAN: Yes. Then I presume Mr. Martin will return to the stand.

ADOLPH G. MARTIN, recalled, previously sworn, testified as follows:

MR. BREDIN: You have been sworn and you are still under oath.

A Yes, I am still under oath.

Q Would you proceed then with reading the Brief.

A I would like to say before I start reading --

THE SECRETARY: Excuse me, have you spare copies?

A Oh yes, they are filed, sir.

THE SECRETARY: Yes, I know, but --

COMMISSIONER DAVIES: Mr. Bredin, just to get this clear now, Mr. Martin is now presenting a supplementary Brief on account of the Calgary District Planning Commission.

MR. BREDIN: That is correct.

A I was just going to elaborate on that.

THE CHAIRMAN: It shouldn't be the City and the District Planning Commission.

A No new issues are raised in this Supplementary Brief. The information, the additional information arose purely from questions which were put to us by the Royal Commission at its last Sittings in Calgary.

THE CHAIRMAN: You wish to have this marked, of course, as an Exhibit?

A Yes, sir.

THE CHAIRMAN: 72C.

CALGARY DISTRICT PLANNING COMMISSION SUPPLEMENTARY BRIEF ENTERED AS EXHIBIT 72C.

MR. BREDIN: Yes, this is properly the District Planning Commission's addenda.

THE CHAIRMAN: And it should be identified as the Supplementary Statement on behalf of the District Planning Commission?

MR. BREDIN: That is correct, it is not

properly the City of Calgary's.

THE CHAIRMAN: Oh, I see. I wish it would become possible at some time to get these Planning Commissions shall I say annexed, or amalgamated a bit.

COMMISSIONER ROBISON: That is a cross-reference to 23C, I take it.

THE CHAIRMAN: Yes.

MR. BREDIN: And would you proceed then to read, Mr. Martin, unless you have anything by way of --

A I was just going to say, Mr. Chairman, that the Brief is rather short, it might seem sketchy in parts, but I would like to assure the Commission that is not due to laziness, that there was quite a bit of material prepared in the meantime.

" SUPPLEMENTARY PLANNING BRIEF

This supplement to the main Briefs submitted by the City of Calgary and the Calgary District Planning Commission was prepared in response to requests by the Royal Commission for further elaboration on some of the issues raised. Its purpose is to:

1. To project the growth of Calgary for a twenty year period in size and direction on the basis of
   (a) Estimated population
   (b) Estimated density of population
   (c) Economy of utility extensions
2. On the basis of 1, to make proposals for annexation.

3. To discuss optimum size and the purpose of "Green belts" as applied in the Calgary Area.

4. Elaborate on the proposed planning organization.

1. Projection of Growth

(a) Population

All projections of future growth and planning for it must be based on a reasonable population estimate. It is in the nature of population growth not to be 'reasonable' by which is meant only that in the case of most Canadian cities population has not followed a steady growth curve. Rather the rate of growth has fluctuated with the ups and downs of economic cycles and with the stages of development and this is particularly true of Calgary which has gone through one major stage of development based mainly on the exploitation of the agricultural potential of southern Alberta and is now going through a new stage based on the exploitation of the oil resources of the Province. The population statistics shown on the graph are a reflection of these stages of development."

The graph appears earlier on, just beyond the flyleaf, Mr. Chairman.

" All population projections for Calgary since the last war have turned out to be highly conservative. Anyone who in 1948 would have predicted the 50% increase in population which has taken place since they would have been looked upon as at least a visionary.

However even a projection made as recently as early 1952

(City Planning Department Report on Parking Requirements) predicts populations by 1961 of 154,210 and 167,700 for the City and Metropolitan populations respectively. The present estimates (end of 1954) are 156,748 and 175,455 for the City and Metropolitan area respectively."

I would like to pause there a moment and explain that those are the actual figures in 1954, and those are not the estimates for 1961 made in 1954; in other words we have got, in 1954, where we thought we might be in 1960 two years ago.

" In making a projection for planning purposes now it is obviously necessary to take into account for the short term the present period of very rapid increase and for the long term to assume that a levelling off process will take place as rate of expansion of the oil industry levels off. These considerations went into the preparation of the population statistics, and the graph indicating population growth.

It was assumed that the rate of growth for the Metropolitan Area would average 7% during the next 5 years. To compensate for the expected levelling off period however, the average rate of growth between 1921 and 1954 was determined (4%) and this rate was projected to 1974. This projection resulted in the figure and growth curve shown on the population graph. What these figures show is that we will have to plan in the Metropolitan area for an additional 70,602 people over the next 5 years, or by the end of 1959.

(b) Density of Population

Before commenting on the land area which will be taken up by this increase in population it is necessary to look at some of present population densities in the City.

Table I below gives typical population densities in the fully developed areas of the City at the present time. The areas shownexclude industrial areas, large open areas such as golf courses, railway yards, and rivers. The average density is 17 persons per acre."

That is in the developed parts of the City, excluding the areas mentioned.

COMMISSIONER DAVIES: Mr. Martin, could I interrupt just a moment. When the Town Planner in Edmonton was giving evidence on the question of density of population there was some reference to the question of net density, and he indicated to us the need of caution in interpreting a figure which just set a density of so-and-so.

A The density of 17 is the net population density applied over a residential area, but it is including therein the commercial areas which are required to serve the residential area.

Q And in terms of acreage does that include streets and lanes?

A That includes streets and lanes.

Q But it excludes these other items?

A It excludes the other items. I am sorry, I should have made that clear.

Q Thank you very much. Then your figures are coming into it then on the same basis as Edmonton?

A I believe that is correct.

TABLE I

A BREAKDOWN OF POPULATION DENSITIES WITHIN THE CITY OF CALGARY (DECEMBER 1954)

NOTE: In the following table, only areas deemed to be fully developed are taken into consideration.

	AREA in acres	POP. DENSITY per acre	POPULATION
	765.5	8.5	6,506
	1613.2	11	17,745
	618.0	13	8,034
	3215.0	17.5	56,312
	1402.7	25	35,068
	376.0	31	11,684
Total	7996.3		135,345

Now I will just read the footnote at the end of Table 1.

" Thus in the fully developed areas of the existing City, including the Central Business District the average population density is: 17 persons per acre. However if a density check is made in some of the newer districts it is found that the figure of 17 no longer applies. This is not surprising since in the new areas the lot sizes are larger and there is very little zoning for apartment use. Table II below shows typical density figures in the new areas based on a family size of 3.7 persons."

COMMISSIONER ROBISON: That's the new areas, isn't it?

A Yes, sir.

Q You should have added that.

A I am sorry, it is new areas in my report, I am sorry.

"TABLE II

ANALYSIS OF POPULATION DENSITIES IN TYPICAL RESIDENTIAL SUBDIVISIONS WITHIN THE CITY OF CALGARY

NAME OF SUBDIVISION	ACREAGE	NO. OF LOTS	POPULATION	POPULATION DENSITY PER ACRE
1. Thorncliffe Heights	397.	1,141	4,220	10.6
2. Britannia	82.5	292	1,000	12
3. Glendale	160.	546	2,020	12.6
4. Stanley Park	38.	157	580	15
5. St. Andrews Heights	67.	225	832	12

FAMILY SIZE - 3.7 "

The population density in new areas, according to this table comes out on an average of 12.

"NOTE: It appears from a general study of new subdivisions, that an average population density of twelve persons per acre can be assumed in calculating residential land requirements for future City expansion.

The average density in new areas is only 12 persons per acre and this is the figure, used in arriving at the land area requirements which follow.

NOTE: Only two density maps have been prepared for Calgary,

one in 1951 and one in 1954. Little change in residential density in the older and more central areas is evident on these maps.

Taking now the figures for population projection and the estimated density in new areas, the requirements for land can be projected. This is done in Table III which follows."

I would like to elaborate on that statement just a little bit, Mr. Chairman. The question might be asked; well is all the residential expansion going to take place in the outside areas? Well, we haven't any information to show that it is not going to do so, in other words we haven't had any marked increases in density in some of the more central areas to take care of some of the expansion in population, we haven't any statistics on which to base any statement of that kind.

THE CHAIRMAN: Mr. Martin, referring to Table II; in Thorncliffe Heights, for instance, or Glendale, what is the size of the lots there?

A 60 and 65.

Q 60 and 65?

A Yes. I think there will be a smaller proportion of 55's, but they would be a smaller proportion.

Q In number?

A Yes. On the old subdivision though, sir, that would work out close to a 50 foot lot, whereas these lots are wider they are 20 feet shorter, and so we would get almost the same number of lots per acre as we did on the old 50 by 120.

Well, using this Table III, Mr. Chairman, is a combination of these density figures and the expected population figures projected over the periods mentioned. That is first to 1959 on a five-year basis, and to 1974 on a 20-year basis, and to 1959 a total of 5,883 acres will have to be made available if the population in fact increases as projected, and by 1974 a total of 11,540 acres, that is between 1959 and 1974, for a total in the 20-year period of 17,423 acres.

COMMISSIONER DAVIES: Now could I interrupt you just again, Mr. Martin. Out of this 17,423 acres, now that's all converted back, and that would allow for streets and lanes?

A Yes.

Q But that wouldn't allow for parks?

A That would allow for small parks but not large ones, it would allow for small residential parks.

Q And would it allow for school sites?

A Yes, it would allow for school sites.

Q Anything else you want to say on that, anything else that is being allowed for, I mean?

A It would allow for the local playgrounds and the facilities which generally go into a neighbourhood; the school, the small parks, that is the ornamental parks, and the four or five acre playgrounds which we generally plan adjacent to the school where possible for a playground for the children

in the community, and the streets and lanes.

MR. BREDIN: Mr. Martin, in dealing with this you have prepared it on the basis of present subdivision regulations, have you not, which require that 10% of subdivided land be set aside?

A That is correct, sir. Actually we didn't do it directly, all our subdivisions are prepared in accordance with the subdivision regulations. What we took was, in fact, four typical subdivisions and got our figures from those subdivisions which were prepared in accordance with regulations, and which we would assume to be uniform procedure from now on.

Q And when you have reference to large parks, you are perhaps thinking of the one we have at 14th Street and 32nd Avenue, which is four city blocks, you haven't made an allowance for parks of that type?

A No, we wouldn't make allowance for parks as large as Britannia Park, for instance, which is over 100 acres, we wouldn't, that would come under green belt type.

MR. BROWN: Any local commercial uses in there?

A They would be included as well, local commercial would be included in this as well.

"TABLE III

CALGARY METROPOLITAN AREA

ANTICIPATED POPULATION INCREASES & RESIDENTIAL LAND REQUIREMENTS

1954-1974

YEAR	ANTICIPATED INCREASE IN POPULATION	ACREAGE REQUIRED (@ 12 persons per acre)
1955	12,280	1,023
1956	13,140	1,095
1957	14,056	1,171
1958	15,033	1,253
1959	16,093	1,341
TOTAL ACREAGE REQUIRED - 5 YR. PERIOD =		5,883 Acreas
1959-1974	138,364	11,540
TOTAL ACREAGE REQUIRED - 20 YR. PERIOD=		17,423 Acres."

Now we come to (c) of Part 1.

" The two development plans show the estimated expansion during the first five year period, and for the total period of time for which the population was projected. The growth in population during the five year period to 1959 will be accommodated by 'filling in' Bowness, Forest Lawn and the fringe communities on the west and by general development of the still vacant land which can be serviced with sewer and water."

And the locations of those are shown, Mr. Chairman, on the map which is noted at the bottom, "partially developed areas suitable for complete residential development by 1960." As I say, we didn't have too much time to identify some of these things.

THE CHAIRMAN: No. Yes, do you think it would be a good idea to give them some kind of a description, numbers, or pages or something?

COMMISSIONER ROBISON: Couldn't you just name these A, B, C and D?

THE CHAIRMAN: Well, that is satisfactory. Would A be the fully-developed land for 1955?

COMMISSIONER ROBISON: No, population growth is the first exhibit in this Brief. The next one would be proposed annexations. I propose that we mark them A, B, C, and D.

THE CHAIRMAN: Now when you come to B --

A Relative growth of city areas.

COMMISSIONER ROBISON: C, fully developed.

A Fully developed, yes, and D, that is the partially developed.

COMMISSIONER ROBISON: Partially developed.

A Yes, but where we expect development to have reached at the end of five years.

THE CHAIRMAN: 1960?

A Yes.

THE CHAIRMAN: That's D, and E will be the expected development should the boundaries -- called the Development Plan, 1954 - 1959.

A That is E, and that one shows also the expected industrial development during the same period.

ALBERTA PROVINCIAL LIBRARY

THE CHAIRMAN: Yes.

A That is E. And then F showing the probable picture by, at the end of the 20 year period.

THE CHAIRMAN: Yes. Yes. Now I think we can refer to them more readily, Mr. Martin.

A I will go on then where we left off.

COMMISSIONER BLACKSTOCK: Now on page 5, what is the reference there?

COMMISSIONER ROBISON: D.

"This includes the completion of the North Hill development and serviceable land south to Turner Siding. To maintain a balance between residential land and industrial land suitable provision will have to be made for the latter.

The requirements for industrial use were computed at 22% of residential requirements, a total of 8 sq. miles by 1959."

THE CHAIRMAN: Now can you refer back to one of our numbers?

A C, it would be E.

Q E, yes.

A Yes. The 8 square miles is not additional industrial land, sir, that is all the industrial land which will then be in the city developing industry, including this and what will take place between now and then.

THE CHAIRMAN: Yes.

"It is emphasized that this is an estimate only, and it is impossible to predict what future requirements will be except to

say that there will be some demand for land for large industries - refining and peto chemical - in areas well beyond established utilities systems, as well as for smaller secondary industries which require to be closer in where utilities, good highway and spur track access is available.

Any expansion beyond these areas defined in the first 5 year period will require the construction of a new sewage disposal plant since by that time the present system will have reached its economic limit. In addition the water system will require major extensions and revisions. This will entail major expenditures and it is therefore necessary to survey the areas available in sufficient quantity and most suitable for expansion from the point of view of topography, accessibility to railways and thorofares, and economy in the installation of utilities.

The areas to the east, north and west fall short of these requirements.

The area to the east is less attractive for residential use but its chief drawback is its distance from the water supply (Glenmore Dam.) This would result in large expenditures on a water main through the built up part of the City. (It has been suggested that the City develop a fairly large area within the City Limits south of the airport, but as mentioned above this is not considered practical except for the limited area shown on the 1959-74 development plan."

That is CF.

"Farther north some of the area immediately south of the airport will very probably be required for airport expansion. Beyond this to the south residential development is prohibited due to airport zoning and the loaning restrictions imposed by N.H.A. However, the land adjacent to the Trans-Canada Highway and the No. 2 Highway should be reserved for controlled commercial and light industrial development.)"

I don't think they are approving loans within 5000 feet from the end of runways, and 1000 feet on either side of these flying zones.

COMMISSIONER ROBISON: That has not been confirmed so far as Calgary is concerned yet officially, has it?

A Well, we haven't been officially advised, but we expect that ours will be classed as a major airport in the newspaper report, although we knew about it long before the newspaper report came out, and the newspaper report definitely gave that as being the requirements to which N.H.A. loans would be subject.

Q Yes?

A In any case, Mr. Chairman, I don't think it would be desirable to have residential areas right under a flying lane. This is practically the flying alley for half of the flights coming into town.

" The areas to the north and west present water supply difficulties because of their elevation. Because of topography they are suitable only for residential use, but large residential growth

here would seriously upset the land use relationships in the City resulting in long journeys to work and excessive expenditures on major thoroughfares and transit routes."

Perhaps I should elaborate with one or two sentences on that too. When I speak of the land use relationships here, our industries are going to the east and south-east, and if we persist in putting our residential areas to the west and the north and the north-west, which has been a definite trend in the city, we will come to the point where we require much longer major thoroughfares than would be required if we got the land use relationships more properly organized.

"To service the area to the west would require the construction of a large sanitary sewer trunk which for much of its length would pass through unproductive areas.

In contrast to this the area to the south proposed for the future major expansion has all the required advantages. Suitable land is available for homes and industry, a major highway as well as a railway passes through it, the entire area drains naturally to the Bow Valley where a disposal plant can be built to serve the entire area. Very little pumping would be required for water and water mains would be short.

The development plan shows the area which would be developed during the period 1959 to 1974 --"

That is E.

"--and the allocations for industrial and residential land.

The following statement gives in a general way the estimated land areas occupied by the various uses at the end of the 20 year period.

LAND USE OF TOTAL CITY AREA INCLUDING ANNEXATION OVER 20 YEAR PERIOD 1954-1974

Gross area of expanded city: - 109 square miles.

Anticipated total population 1974 - 384,000 additional population to be housed at an average density of 12 persons per acre)

Thus:

Total residential land requirement = 32,000 acreas = 50 sq. miles

(An additional 17 sq. miles)

Total industrial land requirement = 22% of residential-- 12 square miles.

Total area productively utilized = 62 square miles.

OTHER LAND USES INCLUDED IN GROSS AREA

Reservoir and watershed area, Airfields (and environs), land held permanently in large acreage, river and river flat areas unsuitable for development, park reserves, areas reserved for sewer plant, reservoirs, cemeteries, golf courses etc. 47 square miles.

From the foregoing it is clear that planning for future expansion requires more than just filling in areas within the

ALBERTA PROVINCIAL LIBRARY

City Limits regardless of expense and inconvenience. Economic growth is essential, not just growth which might result in unneccesarily large capital expenditures on utility extensions, streets, bridges, etc.

2. Proposals for Annexation

The proposals for annexation remain unchanged. Annexation is the best means of maintaining control in the area in the meantime. The economics of expansion on the scale anticipated require the assurance that large areas will be available for development to justify expenditures on capital works necessary. What happens in these areas today will in large part determine the degree of economy and efficiency with which urban services are installed later.

Zoning and subdivision control are the best means of ensuring control and this is best accomplished under the jurisdiction of a single municipal unit, i.e., the City.

3. Optimum Size and Green Belts.

In the population projection made earlier in this supplement a population of 384,421 is predicted for Calgary by 1974. Is this an optimum size for the City?

The control of size and population of the central city brings into mind the original concept of the satellite town. This was to provide in a deliberately planned town, decentralized from the main city a more suitable living environment for its inhabitants - away from the congestion and noise of the main city. The satellite was to have its own industries and

be independent of the main city except for some of the more specialized services which are generally associated only with large cities.

To ensure this integtity the satellite town was to be a suitable distance from the main city, i.e. it was to be more than just a suburb. In the concept of satellite towns the intervening space between the main city and the towns was to be preserved as a green belt used essentially for agricultural purposes. The green belt was to prevent 'connurbation' the merging together of urban areas. Town and country were to be preserved as separate entities.

How can this concept be applied to the Calgary Area? Its success depends on two main things. First there must be sufficient population pressure at the centre - in the main city - and second there must be industries which find it profitable either to establish in the satellite town or to move there from the main city. Neither of these incentives has appeared in Calgary as the City is not yet large enough.

It is not suggested here that there will be no future regional decentralization of population, because there will be a need for it, particularly due to growing industrial requirements. What is suggested is that regardless of any legislation which may be passed, it would probably be impossible to enforce what is considered an optimum size in area or population.

This brings up the planning for, and the preservation of, green belts. Two types are proposed in the General Plan. The

function of one type is to preserve from development stretches of river valleys and other topographical features which for physical reasons are economically unsuitable, and also to preserve the water reservoir drainage basin.

The purpose of the other type of green belt as proposed in the General Plan is to control urban growth - that is to ensure the orderly outward extension of the City, rather than have the indiscriminate and uneconomic sprawl which has been common to most large cities. This is not to say that all development except agricultural will be prohibited. Rather the intention is to preserve the area from premature and undirected fragmentation while at the same time encouraging both large and small agricultural and other extensive uses. For the present then, this green belt marks the limit of presently projected urban growth and provides at least a temporary natural break between areas of urban and outlying rural uses. In the long term the disposition of this zone will have to be reviewed in the light of possible acquisition or the pressure of need for urban development either within or beyond it. Land use control through zoning and subdivision control are essential however in the green belt to preserve its essentially rural nature.

4. Planning Organization

As already stated in the main brief of the Calgary District Planning Commission the present planning organization within the City is working quite effectively. As also stated in the main brief, district planning with the present organization

can be less than satisfactory."

And I might stress that it has been satisfactory, but under the arrangements that exist it could be less satisfactory.

" If amalgamation took place as proposed the present fringe problem could gradually be eliminated. The number of member units in the Calgary District Planning Commission would also be reduced. To prevent the recurrence of the fringe problem however, and to ensure adequate planning control, it would be essential to vest executive powers in the Commission at least with respect to planning matters which are of concern to more than one municipality. A suitable board should be set up to hear appeals from Councils which may not agree with the decision of the Commission on such matters."

And by "such matters" I mean again those matters which are a common concern to two or more Municipalities.

COMMISSIONER ROBISON: Would you also include individuals in there?

A Yes, yes, certainly there should be an appeal board to hear complaints of individuals.

"Local planning matters, as distinct from the above, would be handled at the local level.

Extra-territorial powers vested in the City for the purpose of controlling development outside is not favoured. We feel that the desired control can be effected more satisfactorily by

an organization as outlined. Careful study is necessary however before we can define what are purely local matters and what are matters of common concern. Considerable revision to the Town & Rural Planning Act will also be necessary. As already stated in the main Brief it would be essential to establish distinct channels of coordination both at staff level and planning authority level between the Region and the City.

In view of the relative importance of this facet of municipal development it is suggested that a selected committee should be established to go into all these matters, to work out the proposed organization and to recommend the necessary details and changes to the Act in accordance with the foregoing principles. We feel that only by these means can all aspects of the problem be adequately dealt with."

COMMISSIONER ROBISON: You didn't draft that Act that Commissioner Blackstock was speaking of?

A Well, we thought of that when we wrote the Brief, Mr. Chairman, but as I say, it was not due to laziness, it was due to another reason.

THE CHAIRMAN: But you have given, Mr. Martin, some very specific expressions of your viewpoint on a number of matters. I think that I shall not, I shall hold one or two other questions I have in mind, and possibly they will be brought out by Mr. Bredin, or somebody else. Are you proposing to have any direct examination of this witness?

MR. BREDIN: I was going to ask Mr. Martin one question.

Q Mr. Martin, on page 7 you give the gross area of the expanded city as 109 square miles. Can you tell me how that corresponds or compares with the area of Metropolitan Toronto at the present time?

A No, sir, not on an area basis I can't do that.

COMMISSIONER DAVIES: I could answer that, it is 240 square miles.

MR. BREDIN: I knew that, I hoped he did. Our figure looked awfully big until I read Toronto's.

A Mr. Chairman, one of the diagrams to which I did not specifically refer when I read the report, it is diagram B, and diagram B shows on the left the present built-up area in relation to the areafor which application has been made for annexation, at least which it is proposed under these, by these Briefs, or by the City Brief to annex. On the right side is shown the city boundary in 1912, and it shows also the built-up area of the city in 1912 in relation to the then boundaries of the city.

COMMISSIONER DAVIES: Excuse me again now, Mr. Martin. I am interrupting you because I am very anxious to get the implications of what you are saying. When you say the built-up area you don't just mean the downtown commercial area, now you mean the total area, residential and commercial and industrial?

A The total area developed.

Q Pretty well?

A Pretty well, that would be the total area developed in 1912.

Q That black portion on the right-hand side?

A That black portion. That would be 1911. The fine line shows it 1911, and the annexation in 1912 was almost entirely to accommodate the then negotiated-for C.P.R. Yards or Shops.

MR. BREDIN: The original boundary, Mr. Chairman, was 17th Avenue, in 1893 the Charter set it out as 14th Street West and 15th Street East, and that black square, I think, shows the original city boundaries in 1893. Isn't that correct?

A That is correct. It would also show the developed portion of the City at that time, because it became evident in that time that expansion was necessary, and that is why the much larger area was --

Q The whole of that black portion was not developed in 1893, that was the city boundary?

A That was the city boundary in 1893. What we are suggesting here, although there is no absolute statistical evidence, from everything we have been able to determine the city had filled its boundaries by 1910.

Q Oh yes, quite, I understand.

A And that the built-up area almost corresponded with the statutory limits of the city when these further annexations were

were made.

Q I am sorry, I misunderstood you.

THE CHAIRMAN: Do you wish to comment on the left-hand side, Mr. Martin?

A Well, we were just going to draw to the Commission's attention that the relationship which we are proposing seems no more unreasonable than the relationship between the built-up area in 1911, between the built-up area and the city boundaries.

Q What has taken place?

A That is correct, sir, and what it is purported to show, there hasn't been sufficient time to write this up adequately, but in 1911 we were going through a very rapid stage of development based on the exploitation of the agricultural resources, and now we are going through a very rapid stage of development based on something else again, that is the expansion of the oil industry, and that we will probably have to make provision for further expansion on the same scale we did at that time.

COMMISSIONER ROBISON: Mr. Martin, I go back to something else that keeps coming up in my mind, it is constantly bothering me, and it is this health situation --

THE CHAIRMAN: Mr. Robison, do you see what time it is? I was going to suggest that at this point because the question involved might involve some time in answering --

COMMISSIONER ROBISON: Yes.

THE CHAIRMAN: The Commission will adjourn until 3:10, and at that time Mr. Martin will return to the stand, and we will hope to finish the questioning.

(Commission adjourned at 3:10)

(Commission reconvened at 3:15)

THE CHAIRMAN: Now my undertaking just before the adjournment was that questions from the floor would be in order so far as this presentation of Mr. Martin's is concerned.

A Mr. Chairman, could I make one more statement?

Q Yes?

A There were other bits of information which, they were statistical in nature, for which the Royal Commission asked during its last sitting in Calgary, and we made notes of those, that is Mr. Strong, Mr. Bredin and I made notes of all the statistical information which the Commission requested, and we tied it together into one pamphlet, which has nothing but statistical information in it, and it is called Statistical Information Supplementary to the Brief Submitted to the Royal Commission on Metropolitan Development.

Q Would you like to receive a number today?

THE SECRETARY: No, that would go along with the City of Calgary Brief.

A Well, it has all the statistics, some are in connection with population, and some are in connection with automobile

registration, which Commissioner Davies asked for.

MR. BREDIN: I think, Mr. Chairman, this should really be attached to our City Brief rather than the Planning.

THE CHAIRMAN: Very well. Thank you, Mr. Martin.

A Fine.

THE CHAIRMAN: We are certainly very glad to have it to consider over the weekend. Now then --

MR. BROWN: You are not giving this a number then?

THE CHAIRMAN: No, no, it will be numbered, Mr. Brown, with the --

MR. BROWN: With the main City Brief?

THE CHAIRMAN: That is right.

COMMISSIONER ROBISON: I was going to ask a question or two, Mr. Chairman, but on reflecting I would like a chance to study this Brief and some other material over the weekend, and not get into a sort of a hodgepodge now. I am not going to ask any questions at the moment.

THE CHAIRMAN: Are you going to ask any questions, Mr. Brownlee?

MR. BROWNLEE: I think I better avoid a hodgepodge, Mr. Chairman, by not asking any.

THE CHAIRMAN: And are you promising not to ask any next week?

MR. BROWNLEE: Well, I won't be here myself, sir.

THE CHAIRMAN: Well, that's --

MR. BROWNLEE: I might say, Mr. Chairman, I expect Mr. Harries will be here, and if we have any chance of conversation over the weekend he might appreciate some opportunity, sir.

THE CHAIRMAN: Yes. We certainly will give him the opportunity. You will see that a copy of this material gets to Mr. Harries.

MR. BROWNLEE: I have sent it already, sir.

THE CHAIRMAN: Well, Mr. Nolan, are you going to ask this witness any questions?

MR. NOLAN: No, Mr. Chairman, I am going to be here next week, but I promise not to ask any questions.

THE CHAIRMAN: Really, this is very embarrassing. Mayor Mackintosh, you are not going to take any such stand as this, are you?

MR. MACKINTOSH: No, sir.

THE CHAIRMAN: Are you ready with any for this afternoon, questions?

MR. MACKINTOSH: No, sir.

THE CHAIRMAN: Well, let me see now. Would you like to ask any questions, Mr. Joyce?

EXAMINATION BY MR. JOYCE:

Q There is just one matter, Mr. Chairman, I would like to ask; in the event of amalagamation of the area to the south,

and assuming that there will be no municipal representation there, which is certainly to be considered; in regard to development would there be any voice coming from that district that would certainly be in the picture in regard to development, would there be any voice coming from that district to say, have anything to say in regard to how it was to be developed, or whether the development as saw fit by the City authorities, without any consultation, or advice from the local people in it? Could you answer that question, Mr. Martin?

A I would say, Mr. Chairman, that the existing machinery which exists for residents making their feelings known would be established, as it is over all the city. In other words any people who take exception to the way the City propose to do certain things, present a petition to the Council.

THE CHAIRMAN: Can you hear him, Mr. Joyce?

MR. JOYCE: Yes.

A Present a petition to Council and ask to be heard, and I think in that way, if you would consider that to constitute a voice in the affairs, that Council has on occasion paid marked attention to submissions made by ratepayers in the City at large.

MR. NOLAN: In respect to garbage, Mr. Martin?

A In respect to all sorts of things, Mr. Nolan.

Q MR. JOYCE: I was referring principally to the

type of development which you might propose. You might propose to develop an area that to us out there might not suit our requirements, and we would like to have a voice, but as you have outlined, you have, you have told us that the door is open and we can express our voice to your Council here.

A Well, that certainly is the case, Mr. Chairman. I think any ratepayer in the City who wants to express an opinion does so through the City Clerk to the Council.

COMMISSIONER BLACKSTOCK: And there would be a right of appeal from the decision of Council.

A Well not -- we are assuming, Mr. Joyce was assuming that the area were entirely in the City, and -- oh, an individual would certainly have a right to appeal if he were affected with his property, he certainly would. But then again we have no coercive powers to force an individual to do anything with his land; if he doesn't want to subdivide it, he doesn't have to subdivide it.

Q Your position is that you can tell him what he must do with his land or what he must not do with his land?

A I don't think we are in that position, Mr. Chairman.

Q Not in the net result?

COMMISSIONER ROBISON: You can tell him what he mustn't do but you can't tell him what he must do.

A That's right, we can tell him what he must not do, but we can't say, "Well, your land is required for industrial

purposes and we are going to take it, and that's it.", the only way we could do that, the only way, there is only one way we can do that at the present time, and that is through a development scheme. If we declare a development scheme on any particular area, but then the man has the right to go before a Board of Arbitration.

COMMISSIONER ROBISON: You can expropriate.

A That is right. To see that justice is done insofar as the price is concerned.

COMMISSIONER DAVIES: I think what Mr. Blackstock is getting at, Mr. Martin, let's suppose now for practical example that the city boundaries were extended into Mr. Joyce's area, and that the City in the normal course of events would start dealing with the question of zoning of that area. That's right, that would be a normal thing to do, wouldn't it?

A That is right.

Q And then the City proposes to pass a Zoning Bylaw that's going to change, or have a material effect on the land uses in that area. Now do I understand that you have told Mr. Joyce in effect that the residents of that area would have a notice in the press, or in some way, as to what type of zoning the City intended to introduce?

A That is correct.

Q The answer is yes?

A That is correct.

Q Then they would have the opportunity to appear before Council and make any representations against the proposed zoning, and then if Council went ahead and passed the Bylaw, then they would have the right of appeal?

A That is correct.

Q And that appeal would be to the Interim Development Appeal Board, wouldn't it?

A No, the appeal against the Council would be to the Provincial Planning Advisory Board. They have the general right of appeal under the Town and Rural Planning Act against all, anyone can appeal to the Provincial Advisory Planning Board.

Q Yes, but I think that in the first instance the appeal is to an Appeal Board of Interin Development Appeal Board in Calgary, isn't it?

MR. BROWN: The Zoning Appeal Board.

COMMISSIONER DAVIES: Zoning Appeal Board.

COMMISSIONER ROBISON: From the City Council?

A Well, I don't think that would be quite the case, sir. Let's start again with the intention on the part of the City to pass a Zoning Bylaw. The report would be submitted to the City Council by the Technical Planning Board.

COMMISSIONER DAVIES: Right.

A The City Council would authorize the advertisement to take place in the newspaper to give anyone who deems himself to be affected by the new Zoning Bylaw a chance to ask to be

heard by the City Council when the Zoning Bylaw comes up for first reading, I believe that is the situation, and a two week period is now required for the advertisement. They would make their representations to Council, and Council could either listen to their appeal, or they could disregard their appeal, or they could alter the original intention with the introduction of certain conditions; in other words they might modify the original report so that it would come out as sort of a compromise to please most of the people who had made representation, and pass the Bylaw accordingly. The Bylaw would then go up and is sent to the Minister, but in the meantime the people who had appealed to Council, or who had made representations to Council, could go to the Provincial Advisory Board and appeal, and state their case again to the Provincial Advisory Board. That is just a general right of appeal I think that anyone has under the Town and Rural Planning Act. That is with respect to a Statute such as a Zoning Bylaw, but with respect to an individual development, if they were disregarded by the local Appeal Board then they could appeal that to the Provincial Planning Advisory Board.

Q Do I understand that every one of your Zoning Bylaws goes on to the Minister of Municipal Affairs?

A Well, right now under Interim Development, sir, we have no Zoning Bylaws as such, but we are getting a Zoning Bylaw ready. We have the draft, which Mr. Bredin and I hope to

get down to one day, and when that draft of the Zoning Bylaw is ready for Council it will be advertised, and after that the land uses will be more or less rigidly designated, but before they are, before the Bylaw is passed in which the land uses are actually designated, anyone objecting will have the right to be heard by the City Council before the Bylaw is in fact passed.

THE CHAIRMAN: Mr. Joyce, you watch for that advertisement.

COMMISSIONER DAVIES: Well my understanding, Mr. Martin, in terms of the City of Edmonton would be that right now you, like the City of Edmonton, are operating here under an Interim Development, under Interim Development control in Calgary?

A But very much different from the system followed in Edmonton, we are not identical. They actually have a Zoning Bylaw as well as Interim Development control, we have no Zoning Bylaw.

COMMISSIONER BLACKSTOCK: Wouldn't that Zoning Bylaw cover the whole proposed area?

A That is correct, sir.

MR. BREDIN: Perhaps, Mr. Martin, you should say that once the Zoning Bylaw is passed then what happens to a ratepayer who wishes to subdivide, or otherwise deal with his land, then is it not necessary to have an amendment to the Zoning Bylaw, which is done by an application to the

Council, and then advertisement in the paper, and that it is dealt with by appeal as an amendment to the Zoning Bylaw?

A Oh yes, yes.

Q That's the normal set-up in a Zoning Bylaw, this is a temporary expedient, the Interim Development, is that not the procedure?

A That's the procedure, but I don't think it would be entirely relevant to the question put by Mr. Joyce, because I think what Mr. Joyce is concerned with is what we are going to zone your land in the first place.

Q MR. JOYCE: Maybe it is one of the reasons, and I was referring to, what will happen to certain types of business that is being carried on out there now in what you will term being carried on contrary to your Zoning Bylaws? I am referring to we will say mink ranchers, feed lots, and there is a great many of people who are keeping horses. Now under the present set-up there is no objections whatever for a person out there to make his livelihood at anything he sees fit, providing his business does not make a nuisance of itself. I am very much concerned whether your bylaws could be so written that they would adequately serve a thickly-populated urban centre here and at the same time not affect or take away the livelihood of people who have been out there, and they, that is their only means of support, and I am very much concerned about

that, and if I had that assurance you would lift a large burden, I am sure, off the minds of a good many of us.

A I can only answer that partially, Mr. Chairman, with respect to the Planning Bylaw, anything in existence there would remain legally in existence. It might be under the new Zoning Scheme, although I am not saying it would initially become a non-conforming use, but that doesn't go to say that it would be an illegal use; in other words under the Zoning Bylaw a mink rancher might not have to move his business, he wouldn't have to, but that is not the only Bylaw. Now the other alternative, the other alternative is to permit the operation of these as the Board of Public Utility Commissioners did in the case of two mink ranches in the last annexation, that is a mile strip along the north of the City, but I don't remember the details. What is it, ten years?

MR. BREDIN: That was made a condition of the annexation that these two mink ranches would not be disturbed. That was within the jurisdiction of the Board to deal with them as such, as a condition of annexation.

A I think certainly they should have some assurance of tenure in their operation.

MR. BROWN: Was it not retained, Mr. Martin, as agricultural land? If it is an agricultural zone he is allowed to do that.

A Yes, I was going to come to that, I am glad you brought up

that point, Mr. Brown. But what would be Mr., say Mr. X's position who has a mink ranch down there, and say in the normal expansion of the city, if it does in fact proceed south, the developed part of the city, that is the closely subdivided part, the urban part reaches right up to your mink ranch, and X might find that it would be more profitable for him to sell his land, and allow it to be converted into residential or even commercial, depending on its location, and move farther out. I don't think any of us can look ten years ahead.

MR. JOYCE: Have you studied the cost of that? The first move, the very moment the City intends to expand its boundaries, you are going to encompass two well-established mink ranches there, and at the present time we know they are zoned for residential purposes, or the land is right now, but owing to the fact that those people were in there long before the property was built up, as it is at the present time, and those people are certainly not making a nuisance of themselves, and therefore there is no wish on the part of their nearest neighbour to interfere with them carrying on in making a livelihood. They have investments out there in some cases that perhaps will reach close to $75,000.00, and if they are asked to discontinue and take up, dismantle their buildings, and move a herd of mink, which on my own particular ranch if right tonight starts to be moved some 200 miles that is going to cost considerable

money. I do not wish -- and then another thing I am referring to, the amount of people who keep saddle horses. Now then --

A Well, Mr. Chairman --

Q -- now that is established as a whole new residential area --

A There are plenty of saddle horses in the City of Calgary right now, Mr. Chairman.

Q And we don't want to see those people disturbed. It is only fit and right that they should enjoy what they have seen fit to create so long as they don't make a nuisance of themselves, which they are not, and that, I am enlarging on this, I have the answer to my question.

THE CHAIRMAN: Mr. Joyce, I didn't understand one remark of yours;has this land to which you have referred been zoned already, and if so by whom, by your local Development Board?

A The Municipal District.

MR. JOYCE: Has this land --

THE CHAIRMAN: I understood you to say that it has been zoned already.

MR. JOYCE: It has, it is in residential and has been in residential for the past two years.

THE CHAIRMAN: And zoned by Springbank?

MR. JOYCE: The former Council.

THE CHAIRMAN: All right, sir. Now --

COMMISSIONER DAVIES: Mr. Chairman, if you are thinking of concluding now, I would like to request of Mr. Bredin that he file with us, if he conveniently could, the first thing on Monday, copies of the present bylaws in respect to zoning and Interin Development control in effect in Calgary.

MR. BREDIN: I will do that, sir.

COMMISSIONER DAVIES: And that might help to clear up a lot of difficulties if we have the chance to go over them.

MR. BREDIN: I might say Mr. Joyce's questions, though well beyond planning, they are questions of health under the Public Health Act, in fact a mink ranch in the city limits requires the annual permission of the Medical Officer of Health, and there are a lot of considerations which go well beyond the field of planning in saying how an agricultural area in a Municipality of a City will be dealt with. I think it may require special legislation for a number of these things, assuming the City's application for annexation of all this area were to be granted. There are a lot of special considerations, and it is not just planning, but questions of health and these other matters.

A Mr. Chairman, this is possibly not so much to do with planning either, but you do know that application is made for annexatiom of Division 1 in its entirety and that it is likely that a Hearing on that will be held before this

Royal Commission has an opportunity of making a report to the Legislature, and certainly when this, when it comes up before the Board of Public Utilities for consideration then you, or anyone else down there, who deem themselves to be affected through the annexation will get an opportunity to be heard, and at such time I think the Board might, if they grant the annexation in the first place, might make it subject to such conditions as they deem advisable, having regard to the circumstances applying in that area.

MR. JOYCE: Will you see that a notice of that Hearing is made available to us?

A I will let you know personally, Mr. Joyce. It will be in the newspaper, but I will let you know when it is.

MR. JOYCE: Thank you.

THE CHAIRMAN: In the case to which reference has been made in the two places in the north part of the City, Mr. Blackstock, do you happen to recall the nature of the order affecting these two mink ranches?

COMMISSIONER BLACKSTOCK: No, that was after I came off the Board, but I did deal with such an application in Red Deer five or six years ago, and I insisted upon some Health Committee, or Medical Health Officer, I don't remember now, agreeing that these men should be allowed to continue their mink ranches within the City of Red Deer for some special number of years, but that no other person could come in and

operate a mink ranch during that period.

THE CHAIRMAN: And that these might not sell?

COMMISSIONER BLACKSTOCK: No, no.

THE CHAIRMAN: Mr. Bredin, do you recall what the terms of the order were as regards those two?

MR. BREDIN: Well, there was some undertaking to, on the part of the Medical Health Officer, that with respect to these two existing mink ranches, that they would not be disturbed unless there was a radical change in the situation as regards development in the area.

THE CHAIRMAN: Are they required to get a permit from year to year?

MR. BREDIN: Yes, but that more or less follows on his undertaking.

THE CHAIRMAN: Yes.

COMMISSIONER BLACKSTOCK: On the other hand they have to undertake to comply strictly with the regulations which apply to that type of industry.

MR. BREDIN: That is correct.

COMMISSIONER BLACKSTOCK: And I should say too that if the people in Red Deer had not agreed to my conditions that I would have refused to annex those lands, because if I did I would have put those people out of business, which I did not think was proper.

MR. BREDIN: Well, that was the same situation, they would have been forced out of business.

MR. BROWN: Mr. Chairman, I don't want to impose myself on the Commission, but Mr. Bredin, I am quite sure, will recall the trouble we had with the mink ranches we had in the Valleyfield area. It took us some years, as a matter of fact, to get rid of them, and because of the peculiarities surrounding the mink farming, the harm that can be done to the animals by noises, and moving, and so forth, and so on, the loss of young, and one thing and another, it is quite an expensive operation, and I believe it was the Medical Health Officer that was eventually called into the picture, if my recollections are correct, to give them so long to evacuate.

THE CHAIRMAN: Thank you.

Now does any member of the Commission wish to further examine Mr. Martin today? Well, in the absence of any further questions the Commission will adjourn now, until 9:45 on Monday next.

MR. BROWN: Mr. Chairman, might I ask, have you any idea at all, I would like this for my own information, of just when the Hearings will terminate?

THE CHAIRMAN: What do you think, Mr. Brown, have you any idea?

MR. BROWN: No, I haven't the slightest. I certainly would like to know, sir, for my own personal private reasons.

THE CHAIRMAN: I appreciate that.

MR. BROWN: You understand I am on leave of absence from the Canadian Pacific Railway?

THE CHAIRMAN: Yes, sir, I appreciate that, and all I can do is to tell you that I think we have made very good progress this week, as a matter of fact I had set as an objective at the beginning of this week's hearings that we might reach, oh, we might clear everything up to the presentation of the, or the beginning of the City's presentation by tonight. Well, we have got a little ahead of that, we have now had a part of the City's presentation, and Mr. Martin's report, so the best I can say is that we shall try to make the same kind of progress next week. We certainly hope to finish next week, and if we can finish Thursday we should be glad to do so.

MR. BROWN: Thank you, sir.

THE CHAIRMAN: I have no expectation of finishing before that, but, well, would you say then, Mr. Brown, that we might set that as a chart, Thursday night?

MR. BROWN: Tentative Thursday. Thank you, sir.

THE CHAIRMAN: The Commission, the sitting is adjourned.

(Commission adjourned at 3:45 p.m.)